

By Mr. IGOE: Petition of St. Francois County (Mo.) Farm Bureau, urging the passage of the proposed bill in Document 494, report of the joint committee on rural credits; to the Committee on Banking and Currency.

Also, petition by Senator Michael Kinney, of St. Louis, Mo., filed by him on behalf of the Missouri Association for the Relief and Control of Tuberculosis, against the passage of the bill introduced by Senator WORKS making it unlawful for any officer or employee of the Government Public Health Service to become a member or officer of, or in any way connected with, any medical or private health association or organization of any kind; to the Committee on the Judiciary.

Also, petition by J. E. W. Wallin, board of education, city of St. Louis, Mo., favoring the passage of a bill introduced by Senator Robinson for the establishment of a bureau for the study of the criminal, pauper, and defective classes; to the Committee on the Judiciary.

Also, petition of the Business Men's League of St. Louis, Mo., favoring the passage of a law providing for a permanent non-partisan tariff commission; to the Committee on Ways and Means.

Also, petition by Edward Mallinckrodt, of St. Louis, Mo., protesting against the enactment of Senate joint resolution 120 introduced by Senator WORKS; to the Committee on the Judiciary.

Also, petition of the Engineers' Club of St. Louis, Mo., on behalf of the Associated Engineering Societies of that city comprising 800 members, favoring the passage of Senate bill 4874, which provides for an appropriation of \$15,000 for each State for establishing and operating engineering experiment stations in connection with the land-grant colleges of the United States; to the Committee on Agriculture.

By Mr. JAMES: Petition of sundry citizens of Marquette, Mich., against the Taylor system in Government shops; to the Committee on Labor.

By Mr. JOHNSON of Washington: Petition of 23 citizens of Tacoma, Wash., favoring House bill 8665, against the Taylor system; to the Committee on Labor.

Also, petition of 21 citizens of Clarke County, Wash., against Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of 56 citizens of Clarke County, Wash., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. McCracken: Memorial of Challis Commercial Club, favoring bill to establish the Sawtooth national park; to the Committee on the Public Lands.

By Mr. McGILLICUDDY: Petitions of Sunday School and Christian Endeavor Society of the Baptist Church, Livermore, Me., and of certain citizens of said town, favoring national prohibition; to the Committee on Alcoholic Liquor Traffic.

By Mr. MAGEE: Petition of sundry citizens of Cortland, N. Y., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. OVERMYER: Petitions of 148 business men of the thirteenth Ohio district, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. RANDALL: Memorial of Chamber of Commerce of Los Angeles, Cal., favoring House bill 13767, for creation of a tariff commission; to the Committee on Ways and Means.

Also, petition of Charlotte Peake and 12 citizens of Monrovia and 155 citizens of Long Beach, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Additional papers to accompany House bill 14897, for relief of Eliza Spears; to the Committee on Invalid Pensions.

By Mr. SMITH of Minnesota: Petition of L. J. Rutherford, secretary of the official board, Trinity Methodist Episcopal Church, Minneapolis, Minn., for Federal censorship of interstate motion pictures, prohibition of liquor shipments to Africa, etc.; to the Committee on the Judiciary.

By Mr. SNELL: Petition of A. Martin, Allie Mistaffa, E. T. Martin, Horton Rutherford, E. J. Brown, William M. Barr, J. R. Smith, G. M. Brown, John R. Brown, Robert Jalone, L. P. Wiggins, L. F. Rutherford, Jay Martin, C. C. Chambers, Will White, S. Smith, Rev. C. E. Hill, and Jerry Putnam and others, of Lisbon, N. Y., protesting against the passage of the Fitzgerald and Siegel postal bills; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of California: Petitions of C. C. Dickinson and 14 others and Roy P. Byron and 24 others, all of Los Angeles, Cal., favoring House bill 9162; to the Committee on Interstate and Foreign Commerce.

Also, petition of W. G. Paschall and 37 others, all of Los Angeles, Cal., favoring fixed-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles C. Watkins and 8 others, of Los Angeles, Cal., favoring Warren bill; to the Committee on Military Affairs.

Also, petition of Church of the People and Alice P. Ward and 17 others, all of Los Angeles, Cal., protesting against Chamberlain bill; to the Committee on Military Affairs.

Also, petition of Rosecrans Camp, Sons of Veterans, Los Angeles, Cal., favoring issuing arms to Sons of Veterans; to the Committee on Military Affairs.

Also, petitions of 44 citizens of Ontario, Cal., and 33 citizens of Chino, Cal., favoring free speech; to the Committee on the Post Office and Post Roads.

Also, resolutions of Los Angeles Chamber of Commerce, favoring a permanent tariff commission; to the Committee on Ways and Means.

Also, communication from San Joaquin Light & Power Co., Fresno, Cal., protesting stamp tax on checks; to the Committee on Ways and Means.

Also, petition of Mrs. Myrtle Hoffmeister and 30 others, protesting against war with Germany; to the Committee on Foreign Affairs.

Also, petition of Phil Lindner, John Herr, and St. Anthony's Benevolent Society, all of Los Angeles, Cal., favoring embargo on munitions of war; to the Committee on Foreign Affairs.

By Mr. STINESS: Papers to accompany House bill 15428, for relief of Angie O. Allen; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 15381, granting an increase of pension to Mary A. Dixon; to the Committee on Invalid Pensions.

Also, petition of 20 citizens of Rhode Island to discontinue and prevent the Taylor system and similar systems in Government workshops; to the Committee on Labor.

Also, petition of Elisha H. Rhodes Camp, No. 11, Division of Rhode Island, Sons of Veterans, of Providence, R. I., approving the provisions of the Chamberlain military bill; to the Committee on Military Affairs.

Also, petition of Gilbert Johnson, jr., and Benjamin A. Armstrong, of Providence, R. I., favoring House bill 8828; to the Committee on Appropriations.

Also, petition of Rhode Island Branch of the Woman's Auxiliary to the Board of Missions, protesting against the passage of House bill 108; to the Committee on Indian Affairs.

Also, memorial of Bristol (R. I.) Improvement Association, urging the establishment of a naval base in Narragansett Bay, R. I.; to the Committee on Naval Affairs.

Also, petition of E. Elizabeth Trowbridge, of Peace Dale, R. I., favoring the bill for national aid to vocational education; to the Committee on Education.

By Mr. TAYLOR of Arkansas: Petition of W. H. Nichol and others, of McGehee, Ark., favoring Tavenner antistop-watch bill; to the Committee on Labor.

By Mr. TIMBERLAKE: Petition of citizens of Wray, Colo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of the second congressional district of Colorado, against drawing this country into the European war; to the Committee on Foreign Affairs.

Also, memorial of citizens of Wellington, Colo., favoring London peace resolution; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, May 16, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bless Thee that Thou hast broken the silence of the centuries and spoken unto us with infallible word. And Thou hast not only spoken once, but Thou dost continue to speak through the years with the ever-coming kingdom and the ever-unfolding revelation of the divine will. It is not left to us to assume a policy with reference to Thy laws. Thy kingdom ruleth over all. Thy law is inevitable, is eternal, is changeless. Enlighten us through Thy truth. Send us out into the solemn responsibilities of life under Thy guidance and inspiration. May we know God's will, and may we have it in our hearts to do Thy will. We ask for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMITH of Michigan and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 759. An act to provide for the removal of what is now known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridge in place thereof; and

H. R. 10385. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a telegram addressed to the President of the Senate which will be printed in the RECORD.

The telegram is as follows:

NEW YORK, N. Y., May 16, 1916.

PRESIDENT OF THE SENATE,
Washington, D. C.:

At a mass meeting held under the auspices of the International Brotherhood Welfare Association I am instructed to demand of Senate, House, and President an economic and peace commission to work for economic preparedness, not militarism, and for international solidarity and peace with Mexico and the world. Kindly place this before Senate.
G. H. STORK, Chairman.

Mr. SMITH of Michigan. Mr. President, the river and harbor bill now under consideration in the Senate has an item regarding the improvement of the Illinois River, which, in the opinion of many people in the State of Michigan and adjoining States, is seriously inimical to the navigation on the Lakes and the harbors thereof. I have a communication from Mr. Austin Farrell, the manager of the Cleveland-Cliffs Iron Co., of Marquette; a communication from the mayor of the city of Gladstone; and other memorials bearing upon this question, which, in my opinion, are of great interest to the people of the Lake States and should be thoroughly understood by the Senate. These memorials are not long, and I ask that they may be read for the information of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

MARQUETTE, MICH., May 12, 1916.

HON. WILLIAM ALDEN SMITH,
Senate Chamber, Washington, D. C.

DEAR SIR: I am taking the liberty of inclosing herewith copy of brief which I have submitted to the Chief of Engineers relative to the further lowering of the levels of Lake Michigan.

I expect to appear before this gentleman at a hearing on May 15 and elaborate on same. From it you will gather how serious the proposed diversion of additional water through the drainage canal, if allowed, will affect our and kindred industries in the Northern Peninsula.

I respectfully urge that you use every effort to prevent any additional water being allowed to pass through the Chicago Drainage Canal.

Yours, truly,

AUSTIN FARRELL, Manager.

MAY 12, 1916.

CHIEF OF ENGINEERS,
War Department, Washington, D. C.

SIR: The undersigned is the general manager of the blast furnaces and chemical departments of the Cleveland-Cliffs Iron Co., said company having a large blast furnace and chemical plants located on the shores of Little Bay De Noquet, about 3 miles north of the city of Gladstone.

At the request of Mr. G. R. Huntington, general manager, I am representing the interests of the Minneapolis, St. Paul & Sault Ste. Marie Railway, who have large coal, merchandise, docks, and grain elevator in the city of Gladstone. I have also been requested to represent the interests of the Northwestern Cooperage & Lumber Co., who have large saw, veneer, and planing mills and hardwood-floor factories, also located in the city of Gladstone.

Attached hereto please note letters giving me authority to act for the companies mentioned, and also setting forth briefly their position relative to the still further lowering of the water in Lake Michigan through the possibility of additional water being allowed to pass through the drainage canal at Chicago into the Illinois River.

Each and all of us emphatically protest against any additional water being given to said canal and respectfully urge that the amount be cut down to not to exceed 250,000 cubic feet per minute during a day of 24 hours.

In defense of the stand taken by the Cleveland-Cliffs Iron Co., through me as their representative, beg to state that we operate, as already mentioned, a large blast furnace and chemical plants, producing about 40,000 tons of pig iron, 6,927,947 pounds of acetate of lime, 331,173 gallons of alcohol, and 298,840 gallons of tar flotation oils yearly.

While it is true that not all of this product goes out by water, yet the outgoing and incoming freight for the plant will amount to about 20,000 to 25,000 tons per year. To handle this material we have at great expense constructed a dock at our plant. When this dock was constructed there was ample water for large boats to get to and from it without trouble. During the past five or six years, according to our observations, the lake level has lowered about 2 feet. This large recession of water can not be entirely due to fluctuation or changes in climatic conditions. On the other hand, we claim that it is largely the result of the vast amount of water being passed through the drainage canal. Between December 15, 1914, and December 28, 1915, our measurements show that the levels were $\frac{3}{4}$ inches lower in 1915 than in 1914.

This lowering of the lake levels has seriously interfered with our boat shipments, and we are now compelled to use boats of smaller capacity and lighter draft which at the present time are very hard to obtain. We estimate that the lowering of 8 inches referred to during the past year has cut down the carrying capacity of the boats at our dock between 10 and 15 per cent.

I am informed that if the drainage-canal authorities are allowed the amount of water they ask for that the lake levels will be lowered an additional 8 or 10 inches. You can readily see the effect this will have on our operations. The bottom of the lake from the face of our dock toward deep water has been dredged until we are practically upon a ledge of limestone rock, and if we are compelled to build our dock still farther into the lake the expense will be so large as to be practically prohibitive.

If you will refer to the data furnished by the Minneapolis, St. Paul & Sault Ste. Marie Railway, under the head of Exhibit A, you will note the size and capacity of their docks, freight sheds, elevators, etc. You will also note how the lowering of the water has seriously affected their piling and the expense they had been put to to take care of same, and the further additional expense they will be put to through dredging and the danger said dredging will entail should they be compelled to undertake it.

Under the head of Exhibit B, I am submitting a statement from the Northwestern Cooperage & Lumber Co., setting forth in detail just how seriously they have been and will be affected by the further lowering of the present lake levels.

I would also like to call your attention to the fact that on Little Bay De Noquet there are other large industries engaged in the manufacture of pig iron, lumber, and the handling of iron ore. While it is possible that these interests will have their own representatives, it may not be amiss for me to state that they comprise the large ore docks of the Chicago & North Western Railway and the Chicago, Milwaukee & St. Paul Railway, at Escanaba; the I. Stephenson Lumber Co., the Stephenson Charcoal Iron Co., the Delta Chemical Co., and the Michigan Tanning & Extract Co., at Wells; the Stack Lumber Co., at Masonville, just north of Gladstone; and the Madden & Scheible Lumber Co. and other manufacturers at Rapid River. All of these industries, representing a vast amount of capital, will be seriously affected by the further lowering of the lake levels; but I speak particularly for the companies which I am representing.

As previously stated, we protest against any further lowering of lake levels and urgently request that you use every effort to prevent additional water being taken through the drainage canal.

Since writing the above I have a letter from the mayor of the city of Gladstone requesting me to represent them at this hearing, and refer you to "Exhibit C" attached hereto.

I therefore wish to protest as the representative of the city of Gladstone against any additional amount of water being allowed to pass through the so-called Chicago Drainage Canal.

Respectfully submitting this statement, we beg to remain,

THE CLEVELAND-CLIFFS IRON CO.,
By _____, Manager.
MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RY. CO.,
By _____, Representative.
THE NORTHWESTERN COOPERAGE & LUMBER CO.,
By _____, Representative.
CITY OF GLADSTONE, MICH.,
By _____, Representative.

MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILWAY CO.,
OFFICE OF GENERAL AGENT,
Gladstone, Mich., May 10, 1916.

PROPERTY.

Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Gladstone, Mich.:	
Investment.....	\$1,000,000
Length of freight sheds.....feet.....	1,500
Capacity of freight sheds.....tons flour.....	9,000
Length open dock.....feet.....	200
Length of coal dock.....do.....	800
Capacity of coal dock.....tons.....	200,000
Capacity of elevator.....bushels.....	500,000
Handles over docks and through elevator past 15 years:	
Flour and merchandise.....tons.....	2,703,623
Coal.....do.....	2,992,731
Grain to boats through elevator.....bushels.....	38,842,512
Miscellaneous, cement, salt, etc.....tons.....	100,000

Our business demands that we have sufficient depth of water along our dock to permit the largest boats on the Lakes getting in with full loads. In the beginning we had to dredge to this depth and have at various times in past few years had to do further dredging to maintain it. The last time we dredged we cut to 23 feet, and at this writing we have a scant 20 feet, a portion of this filling in is natural, but at least a foot and one-half of it is caused by lowering of the water in the lake.

Any further decrease in the depth must be met by an equal amount of dredging along our entire dock front (2,500 feet) and a cut made not less than 100 feet wide.

The lowering of the lake level means also that boats set that much lower than the dock and it is more difficult to get in and out of them, this and the fact that it also make an uphill haul will increase the cost per ton of handling.

If the lake level is further lowered and we are obliged to dredge deeper than ever to get sufficient water, it means the taking away of just that much more earth from the bottom of the lake around the outer row of piling and a general weakening of the whole structure.

Our piling under docks which were cut level with the water are now a foot and one-half above the lake level, a further lowering of the water will make them project that much more. Soon as they get out of the water they commence to rot and have to be replaced with blocking, the blocking can not be as strong as the piling and the foundation is thus made weaker, and puts us to the expense of purchasing timbers and the labor of putting them in. This damage has already been done to a certain extent and will be increased by further lowering of the water. This one item alone will amount to thousands of dollars.

To summarize, we have already suffered by the lowering of the water which has already taken place, to the extent of having to place caps on several thousand piling and by having the water lowered all along our dock and stand to pay out thousands more if the water is further

lowered, as we will have to do more dredging, put additional caps on piling, and pay more per ton for handling freight.

EXHIBIT B.

THE NORTHWESTERN COOPERAGE & LUMBER CO.,
Gladstone, Mich., May 9, 1916.

Mr. AUSTIN FARRELL,
Manager Cleveland-Cliffs Iron Co.,
Marquette, Mich.

DEAR SIR: Regarding the rehearing of the Illinois waterway matter at Washington on the 15th, which involves the lowering of the waters of Lake Michigan through its drainage into the sanitary drainage canal at Chicago. This is a very serious matter to us, on account of the large tonnage each year that we are obliged to get in to and from our plants here.

We have been operating here some 15 or 20 years, and these plants were originally located and built on the strength of the water facilities for shipping in and out by vessel, and we should say, roughly, each year there is a tonnage in to and from our plants of 15,000 to 20,000 tons that must be handled in order for us to operate, and this would be true of the 10 to 15 years to come.

According to our records of the stages of water around our plants, it has lowered permanently all the way from 2 to 2½ feet in the last five or six years, which has caused a very great inconvenience and a large expenditure of money by this company in dredging, not only around our plants and docks but other places in connection with our mill operations, which had to be dredged in order to have water enough to carry on our operations, and this lowering, as far as we have been able to ascertain from those supposed to be posted on the subject, has been caused in no small degree already by the amount taken out through the canal at Chicago, and if this is to be further lowered, it will be almost impossible at a good many of the upper lake ports, and especially in the upper Bay de Boe, to do any commercial business by boats; and it would seem this is not only a matter of interest to us as manufacturers, but that the interests of the destination territories served by these boats should be considered rather than the fact of supplying the Chicago Canal with water.

We assume that we are not far wrong in saying that any further lowering of the water would mean at least 1 to 2 feet, and if that is done the lightest-draft boats could not get into our plants and docks, which would mean a vast amount of dredging at such a large expense as would be prohibitory and which we could not stand. In addition to dredging that would have to be done along our trams and docks, we would also have to dredge practically the entire area of our large pond, which area of water is absolutely necessary in running our plants of a mile long, and, as the bottom is quite soft, we doubt if the docks and trams would stand up under any load without falling away, and might necessitate, in addition to dredging, the rebuilding of these docks and the use of much longer piling than was used when they were built in order to get the required strength and also get the top of the dock the proper distance from the water for convenient loading of boats with material off the dock.

In addition to this there is from one-half to three-quarters of a mile of approach to our dock from the bay that now has barely enough depth of water for boats to get through to the docks, and this distance would certainly also have to be dredged in addition to the other dredging in order to allow boats to get to our plants and docks if the water is lowered any further, all of which would mean many thousands of dollars' expense; and we hope upon consideration no further impairment of condition will be allowed than now exist.

Yours, truly,

THE NORTHWESTERN COOPERAGE & LUMBER CO.,
By STAPLES.

EXHIBIT C.

GLADSTONE, MICH., May 11, 1916.

Mr. AUSTIN FARRELL,
Marquette, Mich.

DEAR SIR: At a meeting of the city council held Monday, May 1, the mayor was authorized to select some one to represent the city of Gladstone at the meeting to be held in Washington on May 15. The object of said meeting is to reconsider the matter of lowering the lake levels by permitting more water to pass through the Chicago Drainage Canal.

This matter is of vital importance to the city of Gladstone, as its commercial life depends upon the lake shipping facilities. Without the industries that depend upon the local harbor our city would dwindle to a hamlet. By destroying our harbors they would also destroy our industries and leave us without employment for the workmen of our city and vicinity and devastate a city of 5,000 population.

Besides the property of our industries which would be destroyed, it would make it impossible, without dredging, for boats to land at the dock owned by the city. It would no doubt be necessary to extend our city dock several hundred feet farther into the lake, and this our city is not in a position to do.

Inasmuch as the lake levels have already been lowered so much, a further lowering would put things in a critical condition and disaster to our city would quickly follow.

In view of the above I appoint you as representative of the city of Gladstone at the above-mentioned meeting and trust that you will protest most vigorously against such action.

Trusting that the proper officials will recognize our claims and that the outcome will prove satisfactory to us, we remain,
Very truly, yours,

CITY OF GLADSTONE, MICH.,
JAMES T. JONES, Mayor.

Mr. SUTHERLAND. Mr. President, at a mass meeting of citizens of Salt Lake City, held in the Salt Lake Theater on the 11th day of the present month, the resolutions I send to the desk were passed. I ask that the resolutions may be read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read the resolutions, as follows:

Whereas the present interstate discrimination against the political rights of women can be ended only by the passage through Congress of the Federal suffrage amendment; and
Whereas the women of Utah do not receive the protection of the United States Constitution as regards their voting rights: Be it

Resolved, That we, citizens of Salt Lake City, assembled in mass meeting at the Salt Lake Theater, May 11, 1916, protest against the

unfair action of the Judiciary Committee of the House of Representatives in blocking the passage of the Susan B. Anthony Federal suffrage amendment by refusing to consider it upon its merits, and demand that it be given an immediate and favorable report; be it further

Resolved, That if the suffrage amendment be not passed at the present session of Congress, we shall feel bound to the extent of our political power to hold the Democratic Party to full responsibility; be it finally

Resolved, That a copy of these resolutions be forwarded to the administration leaders, to the chairman and members of the House Judiciary Committee, and to the Utah congressional delegation, with the request that they be read into the CONGRESSIONAL RECORD by Senator SUTHERLAND and Congressman MAYS.

Mrs. W. N. WILLIAMS, Chairman.

Unanimously passed May 11, 1916.

Mr. BORAH. Does not the resolution come under the inhibition of one of our rules with reference to reflecting upon the conduct and action of another body?

Mr. SUTHERLAND. There is no rule that prevents citizens from reflecting upon the action of another body.

The VICE PRESIDENT. The Chair would inquire Where is the rule?

Mr. BORAH. If the Chair does not know the rule, I would not undertake to point it out, but I assumed when the Senator from Utah fathered the resolution he was really the author.

The VICE PRESIDENT. There is no rule. There is a statement in Jefferson's Manual to the effect that it is improper conduct on the part of either body to refer in censorious, flip-pant, or other terms with reference to the conduct of the other body, but there is no rule of the Senate which prevents the introduction of a resolution of this kind.

Mr. BORAH. Very well, then—

The VICE PRESIDENT. The Chair sees no objection to the resolution and no objection to the party assuming the responsibility.

Mr. SUTHERLAND. There is no rule, as I understand it, which prevents a citizen from telling the truth about either House of Congress.

Mr. SMITH of Michigan. We did not quite hear the resolution in this part of the Chamber. Can we have it read again?

Mr. BORAH. I can see some things in the resolution which compensate for the other things.

Mr. CHAMBERLAIN. I desire to present a similar resolution from my constituents in Portland, Oreg., and ask to have it inserted in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution unanimously passed at a mass meeting in the Portland Library, Portland, Oreg., April 30, 1916.

Whereas our Representatives in Congress have been denied the opportunity of voting upon the Federal suffrage amendment: Be it

Resolved, That we demand that the Judiciary Committee of the House of Representatives take a vote on the Susan B. Anthony Federal suffrage amendment on its own merits and give it an immediate favorable report; be it further

Resolved, That we call upon our Senators CHAMBERLAIN and LANE to work for this measure, so that the administration, which we hold responsible for its passage, will put its party strength behind the amendment, that it may be passed during this session of Congress; be it finally

Resolved, That a copy of this resolution be sent to each of the administration leaders, the chairman and members of the House Judiciary Committee, and to the Oregon congressional delegation, with the request that it be read into the CONGRESSIONAL RECORD by Senator CHAMBERLAIN in the Senate and Congressman MCARTHUR in the House.

EMMA WOLD, Chairman.

Mr. KENYON presented a memorial of sundry citizens of Gravity, Iowa, remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Ministerial Association of Dubuque, Iowa, praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Jewell, Iowa, remonstrating against certain provisions of the so-called migratory-bird law, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of sundry citizens of Russell, Iowa, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Iowa, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Iowa, praying for the restoration of peace in Europe, which were referred to the Committee on Foreign Relations.

Mr. HARDING. I present a very brief petition, and I should like to have the contents thereof printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

MILAN, OHIO, May 9, 1916.

Hon. W. G. HARDING,
United States Senate, Washington, D. C.

MY DEAR SIR: The Erie County Sunday School Association, representing a membership of 7,000, in convention assembled, herewith petition their United States Senators to give all possible aid to temperance legislation now under committee consideration, to the end that such legislation may be reported on favorably and passed by this session of Congress.

The submission of a constitutional amendment to the State legislatures, the bill to prohibit the sale of intoxicating liquor in the District of Columbia, the bill to prohibit the export of liquor to our island possessions and to Africa, prohibition of the liquor traffic in Alaska—these measures should receive the support of our representatives, and we pray that this petition be recorded in the CONGRESSIONAL RECORD.

THE ERIE COUNTY SUNDAY SCHOOL ASSOCIATION,
W. S. LIPPUS, President,
W. H. OSWALT, Secretary.

Mr. PHELAN presented petitions of sundry citizens of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Lodi, Lackeford, Sacramento, and San Francisco, all in the State of California, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for Federal aid in the construction of good roads, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of El Centro, Cal., praying for the enactment of legislation to establish a land office in the Imperial Valley, Cal., which was referred to the Committee on Public Lands.

Mr. SHERMAN presented petitions of sundry citizens of Quincy and Oquawka, in the State of Illinois, praying for the adoption of certain amendments to the migratory-bird law, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented memorials of sundry citizens of Chicago, Ill., remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the American Society of Patriots, of Chicago, Ill., praying for an increase in armaments, which was ordered to lie on the table.

He also presented a petition of the City Council of Cairo, Ill., praying for the enactment of legislation providing for the construction of the Lockport and Utica waterway, which was ordered to lie on the table.

Mr. LANE presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Roseburg, Oreg., praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which was ordered to lie on the table.

Mr. GRONNA. I present sundry petitions from citizens of my State and from various church organizations in my State, asking for national constitutional prohibition. They are from Williston, Fargo, Oberon, Bowesmont, and Pembina. I ask that one of the petitions may be printed in the RECORD and that all of them may be referred to the Committee on the Judiciary.

There being no objection, the petitions were referred to the Committee on the Judiciary and one was ordered to be printed in the RECORD, as follows:

Resolution suggested for adoption by churches, young people's societies, clubs, and other organizations, and by public meetings generally. Woman's Christian Temperance Union speakers are urgently requested to secure from all meetings which they address the adoption of this resolution.

Resolved, That we are in hearty favor of national constitutional prohibition and will do all within our power to secure the adoption of an amendment to the Constitution forever prohibiting the sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States, in accordance with the joint resolution introduced in the United States Senate by Senators MORRIS SHEPPARD and JACOB H. GALLINGER, and in the House by Representatives EDWIN Y. WEBB and ADDISON SMITH.

Adopted by Fargo Woman's Christian Temperance Union, representing 250 people, February 28, 1916.

Mrs. D. FISHER.

County, Cass; city, Fargo; State, North Dakota.

Mr. KERN presented a memorial of the Central Labor Union of Indianapolis, Ind., remonstrating against the execution of the leaders of the so-called Irish rebellion, which was referred to the Committee on Foreign Relations.

Mr. JONES presented a memorial of sundry citizens of Snohomish, Wash., remonstrating against the enactment of legis-

lation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. WORKS presented a memorial of sundry citizens of Long Beach, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. WADSWORTH presented memorials of sundry citizens of Jamestown, N. Y., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SWANSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5724) authorizing the construction of a public building in the city of Durango, Colo., reported it with amendment and submitted a report (No. 444) thereon.

Mr. SWANSON (for Mr. TILLMAN), from the Committee on Naval Affairs, to which was referred the bill (H. R. 12835) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Republic of Haiti, and for other purposes, reported it without amendment and submitted a report (No. 445) thereon.

Mr. SMITH of Michigan, from the Committee on Naval Affairs, to which was referred the bill (S. 5675) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy, reported it without amendment and submitted a report (No. 446) thereon.

Mr. MARTINE of New Jersey, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5398) to increase the limit of cost of post-office site and building at Millville, N. J., reported it without amendment.

Mr. SMITH of Georgia. I desire to report, from the Committee on Rules, a substitute resolution for Senate resolution 131 and Senate resolution 149, and I submit a report (No. 447) thereon. I do not care to have the two resolutions read for which this substitute resolution is reported, but I ask that the substitute may be read. It is very short.

The VICE PRESIDENT. The substitute will be read.

The Secretary read the proposed substitute (S. Res. 195), as follows:

[Reported favorably by the Committee on Rules, as substitute for S. Res. 131 and S. Res. 149.]

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows:

At the close of Rule XXII, add:

"Provided, however, That if 16 Senators present to the Senate at any time a signed motion to bring to a close the debate upon any pending measure, the Presiding Officer shall at once state the motion to the Senate and at the close of the morning hour on the following calendar day lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Chair shall, without debate, submit to the Senate by a yeas-and-nays vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be in order to the exclusion of all other business except a motion to recess or adjourn."

"Thereafter no Senator shall be entitled to speak more than one hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. No dilatory motions shall be in order, and all points of order and appeals from the decision of the Chair shall be decided without debate."

Mr. SMITH of Georgia. I think the report should go to the calendar, as do other reports from committees, in order that Senators who are not on the Committee on Rules may have an opportunity to examine it.

The VICE PRESIDENT. The report will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 6013) to confirm the entry of John Dowd; to the Committee on Public Lands.

By Mr. LANE:

A bill (S. 6014) authorizing the Secretary of the Interior to withdraw from the Treasury a certain sum of the permanent fund of the Chippewas of Minnesota, now on deposit therein, to their credit; to the Committee on Indian Affairs.

By Mr. CLAPP:

A bill (S. 6015) for the tuition, board, books, paper, and traveling expenses to and from their respective homes of six Chippewa boys to either academies or colleges for the school year ending June, 1916; and

A bill (S. 6016) for the relief of the Pillager Bands of Chippewa Indians of Minnesota, and for other purposes; to the Committee on Indian Affairs.

By Mr. DILLINGHAM:

A bill (S. 6017) granting an increase of pension to Angus C. Burns; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6018) granting an increase of pension to Insley Cook (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6019) granting a pension to Mary A. Gillogly; and
A bill (S. 6020) granting an increase of pension to Julius C. Wright; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 6021) granting a pension to Eli T. Jefferson Jordan (with accompanying papers); and

A bill (S. 6022) granting a pension to William H. Ingle (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE (by request):

A bill (S. 6025) to grant the right of appeal to employees in the Federal classified civil service; to the Committee on Civil Service and Retrenchment.

By Mr. CHILTON:

A bill (S. 6026) granting an honorable discharge to William C. Copeland (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 6027) granting a pension to Wade H. Spencer (with accompanying papers);

A bill (S. 6028) granting a pension to Violetta Dillon (with accompanying papers);

A bill (S. 6029) granting an increase of pension to Samuel White (with accompanying papers);

A bill (S. 6030) granting an increase of pension to Edgar C. Martin (with accompanying papers);

A bill (S. 6031) granting an increase of pension to Alice E. Ward (with accompanying papers);

A bill (S. 6032) granting an increase of pension to William I. Gore (with accompanying papers);

A bill (S. 6033) granting a pension to William S. Wilmoth (with accompanying papers);

A bill (S. 6034) granting an increase of pension to John M. Jones (with accompanying papers);

A bill (S. 6035) granting a pension to Nancy E. Stone (with accompanying papers);

A bill (S. 6036) granting an increase of pension to Millard Terry (with accompanying papers);

A bill (S. 6037) granting an increase of pension to Simon C. Staton, Jr. (with accompanying papers);

A bill (S. 6038) granting a pension to Charles L. Hunter (with accompanying papers); and

A bill (S. 6039) granting a pension to Rosabella Pierce (with accompanying papers); to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 6040) providing for the adjudication of certain claims by the Court of Claims; to the Committee on Claims.

By Mr. VARDAMAN:

A bill (S. 6041) granting the consent of Congress to Jackson County, Miss., to construct a bridge across West Pascagoula River, at or near Pascagoula, Miss.; to the Committee on Commerce.

MONUMENT TO COL. ALEXANDER WILLIAM DONIPHAN.

Mr. STONE. I introduce a bill which I ask may lie on the table for the present.

The VICE PRESIDENT. The bill which has been introduced by the Senator from Missouri will be read by title.

The bill (S. 6023) for the erection of a monument to the memory of Col. Alexander William Doniphan was read twice by its title.

Mr. STONE. Before the bill is referred, I desire to submit to the Senate some very brief remarks, as the Senator from New Mexico [Mr. CATRON] also desires to do. I therefore ask that the bill may lie on the table for the present because of the pressure of important matters in the Senate at this morning's session.

The VICE PRESIDENT. That action will be taken.

MINERAL RESOURCES.

Mr. SIMMONS. I introduce a bill which I ask may be appropriately referred.

The bill (S. 6024) to authorize the Secretary of Agriculture to permit the prospecting, development, and utilization of the mineral resources of certain national forests was read twice by its title.

The VICE PRESIDENT. To what committee does the Senator from North Carolina desire to have the bill which he has just introduced referred?

Mr. SIMMONS. I desire that it shall be referred to the Committee on Agriculture and Forestry.

Mr. SMOOT. Mr. President, I should like to have the title of the bill again read.

The VICE PRESIDENT. The title will again be stated.

The Secretary again read the bill by title.

Mr. SMOOT. I think the bill should be referred to the Committee on Mines and Mining.

Mr. SIMMONS. Mr. President, I think the bill might with propriety be referred to either one of the two committees. It authorizes certain work to be done by the Secretary of Agriculture, and I should therefore prefer to have the bill referred to the Committee on Agriculture and Forestry.

Mr. SMOOT. The Committee on Public Lands has always until lately had jurisdiction of the mining laws of the United States. It seems to me that the bill should be referred—

Mr. SIMMONS. This is a mere prospecting proposition, authorizing the prospecting, development, and utilization of the mineral resources in certain national forests. I do not, however, desire to have any controversy about the matter, and if it is insisted that the bill shall be referred to a committee other than the Committee on Agriculture and Forestry I shall not object.

Mr. SMOOT. I think it ought to go to the Committee on Mines and Mining.

Mr. SIMMONS. The bill really applies to only one forest reserve.

The VICE PRESIDENT. Unless a motion is made to refer the bill otherwise, the Chair will send it to whatever committee the Senator from North Carolina suggests.

Mr. SIMMONS. I shall not make any controversy with the Senator from Utah [Mr. SMOOT] about the reference of the bill. The Senator from Georgia [Mr. SMITH] tells me that the Committee on Agriculture and Forestry have the subject matter of the park and the reservation to which this bill is intended to apply before it for consideration.

Mr. SMITH of Georgia. I would be glad to hear the proposition of the bill again stated.

Mr. SMOOT. It is a proposition to change the mining laws of the United States in regard to forest reserves.

Mr. SIMMONS. I repeat, I shall make no controversy about the bill being referred to the Committee on Mines and Mining.

Mr. SMITH of Georgia. We have the Appalachian Reservation now under consideration in the Committee on Agriculture and Forestry, and that was the only reason I desired the bill referred to that committee.

The VICE PRESIDENT. The bill will be referred to the Committee on Mines and Mining.

PRIVILEGES OF THE FLOOR.

Mr. ASHURST. Mr. President, the Senator from Kansas [Mr. CURTIS] on May 8 introduced a resolution which went to the Committee on Rules. I do not believe that that committee has made any report. I should like to have a copy of the resolution printed in the RECORD, and in the same line have printed in the RECORD also a statement which I have caused to be prepared showing to whom and for what purposes and under what circumstances the privileges of the floor of the Senate have been extended to various citizens of the United States in private life from the foundation of the Government.

I wish to state that I am very much in favor of the resolution of the Senator from Kansas, and I hope the Committee on Rules may report it out to-day, so that it may be adopted by the Senate.

Mr. MYERS. Mr. President, I wish to rejoin to what the Senator from Arizona says, that I am very earnestly in favor of the resolution, and I hope that it will be reported out between now and 1 o'clock, that the Senate may have an opportunity to act on it by 1 o'clock.

There being no objection, the matter indicated by Mr. ASHURST was ordered to be printed in the RECORD, as follows:

Whereas there is now before the Senate of the United States a resolution, No. 1, favorably reported from the Senate Committee on Woman Suffrage, proposing to amend the Constitution of the United States by removing the qualification of sex as a bar to the exercise of the right of franchise; and

Whereas a large number of women voters have delegated to certain envoys the duty of conveying to this Congress an expression of the desire of said women voters that this Congress shall submit to the States for ratification the pending constitutional amendment generally known as the Susan B. Anthony amendment; and
Whereas the question of woman suffrage is one of the foremost issues before the people of the United States: Therefore be it

Resolved, That on the calendar day of May 16, 1916, this body shall stand adjourned at 5 o'clock and 15 minutes postmeridian, and immediately thereafter the envoys from the said women's convention shall be permitted to enter the Senate Chamber and present upon the floor the message which they are to bring from the western women voters.

[From: Furber, George P. Precedents relating to the privileges of the Senate. Mis. Doc. 68, 52d Cong., 2d sess.]

CONTESTANTS FOR SEATS.

WILLIAM BLOUNT AND WILLIAM COCKE.

[2 J. of S., 269, May 23, 1796.]

A letter, signed William Blount and William Cocke, was read, stating that they have been duly and legally elected Senators to represent the State of Tennessee in the Senate.

On motion,

"That Mr. Blount and Mr. Cocke, who claim to be Senators of the United States, be received as spectators, and that chairs be provided for that purpose until the final decision of the Senate shall be given on the bill proposing to admit the Southwestern Territory into the Union."

A motion was made to refer the consideration thereof to a committee, and it passed in the negative.

On motion to agree to the original motion, it passed in the affirmative—yeas 12, nays 11, as follows: [The names are omitted.]

DAVID L. YULEE.

[1st sess. 32d Cong., J. of S., 649, Aug. 27, 1852.]

Resolved, That the Hon. D. L. Yulee, who contests the seat of the Hon. L. R. Mallory, have leave to be heard in person at the bar of the Senate for two hours.

[Mr. Yulee addressed the Senate on the same day.]

[Congressional Globe, 1st sess. 32d Cong., 2390, and Appendix, 1174.]

HENRY S. LANE AND WILLIAM M. McCARTY.

[2d sess. 35th Cong., J. of S., 178, Jan. 24, 1859.]

Mr. Seward submitted the following resolution for consideration:

"Resolved, That the Hon. Henry S. Lane and the Hon. William M. McCarty, who claim to have been elected Senators from Indiana, be entitled to the privileges of admission on the floor of the Senate until their claims shall have been decided."

[Ib., 188, Jan. 26, 1859.]

On motion by Mr. Seward, the Senate proceeded to consider the resolution, submitted by him the 24th instant, to admit the Hon. Henry S. Lane and the Hon. W. M. McCarty, claiming to have been elected Senators by the Legislature of Indiana, on the floor of the Senate; and after debate,

On motion by Mr. Iverson, that the resolution lie on the table, it was determined in the affirmative—yeas 31, nays 22. [The names are omitted.]

So it was

Ordered, That the resolution lie on the table.

[Ib., 254, Feb. 3, 1859.]

Mr. Seward submitted the following resolution for consideration:

"Resolved, That Henry S. Lane and William M. McCarty have leave to occupy seats on the floor of the Senate pending the discussion of the report of the Committee on the Judiciary on the memorial of the Legislature of Indiana declaring them her duly elected Senators, and that they have leave to speak to the merits of their right to seats and the report of the committee."

[Ib., 315, Feb. 14, 1859.]

On motion by Mr. Collamer, the Senate proceeded to consider the report of the Committee on the Judiciary on the memorial of the State of Indiana in relation to the Senators from Indiana, with the reported resolution, that the Committee on the Judiciary be discharged from the further consideration of the memorial of the Legislature of Indiana.

An amendment having been proposed by Mr. Seward, to amend the resolution to discharge the Committee on the Judiciary by striking out all after "Resolved," and inserting "That Henry S. Lane and William M. McCarty have leave to occupy seats on the floor of the Senate pending the discussion of the report of the Committee on the Judiciary on the memorial of the Legislature of Indiana declaring them her duly elected Senators, and that they have leave to speak to the merits of their rights to seats, and on the report of the committee."

[On motion by Mr. Pugh, Mr. Seward's motion was amended by striking out all after the word "that," and inserting a declaration that the former decision of the Senate declaring Messrs. Fitch and Bright the duly elected Senators was final and conclusive.]

[Congressional Globe, 1014, 1019. Debate in Appendix (Congressional Globe, 128-148, Appendix).]

FREDERIC P. STANTON.

[2d sess. 37th Cong., J. of S., 106, Jan. 13, 1862.]

On motion by Mr. Collamer, that Frederic P. Stanton, who contests the seat of the Hon. James H. Lane, have leave to be heard in person at the bar of the Senate,

It was determined in the affirmative, {Yeas----- 32
Nays----- 4

So it was

Ordered, That Frederic P. Stanton, who contests the seat of Hon. James H. Lane, have leave to be heard in person at the bar of the Senate.

On motion by Mr. Fessenden, that the Senate reconsider the vote agreeing to the motion of Mr. Collamer,

It was determined in the negative.

[Congressional Globe, 2d sess. 37th Cong., 291.]

SENATORS ELECT FROM ARKANSAS.

[1st sess. 39th Cong., J. of S., 186, Feb. 26, 1866.]

A motion was made by Mr. Lane of Kansas to admit the Senators elect from the State of Arkansas to seats on the floor of the Senate.

On motion by Mr. Wade that the motion of Mr. Lane of Kansas lie on the table, it was determined in the affirmative—yeas 27, nays 18. [The names are omitted.]

So it was

Ordered, That the motion lie on the table.

[The debate is found in Congressional Globe, 1st sess. 39th Cong., 1025-1027.]

CLAIMANTS FROM COLORADO.

[1st sess. 39th Cong., J. of S., 143, Feb. 8, 1866.]

On motion by Mr. Lane of Kansas,

Ordered, That the Senators elect from the State of Colorado be admitted to the floor of the Senate.

[Congressional Globe, 1st sess. 39th Cong., 734. There was no discussion.]

WILLIAM H. CLAGETT.

[1st sess. 52d Cong., J. of S., 122, Feb. 24, 1892.]

Mr. Stewart submitted the following resolution for consideration, which was ordered to be printed:

Resolved, That William H. Clagett, the contestant for the seat in the United States Senate now occupied by Hon. Fred. T. Dubois, have leave to occupy a seat on the floor of the Senate pending the discussion of the report of the Committee on Privileges and Elections, and that he have leave to speak to the merits of his right to have the seat, and on the report of the committee.

[Ib., 125, Feb. 25, 1892.]

The President pro tempore laid before the Senate the resolution yesterday submitted by Mr. Stewart, granting William H. Clagett, contestant for a seat in the Senate from the State of Idaho, leave to speak on his right to the seat; and having been amended, on motion of Mr. Mitchell, by inserting after the word "speak" the words "not exceeding two hours."

On the question to agree to the resolution as amended as follows:

Resolved, That William H. Clagett, the contestant for the seat in the Senate now occupied by Hon. Fred. T. Dubois, have leave to occupy a seat on the floor of the Senate pending the discussion of the report of the Committee on Privileges and Elections, and that he have leave to speak, not exceeding two hours, to the merits of his rights to the seat, and on the report of the committee.

It was determined in the affirmative—yeas 48, nays 1. [The names are omitted.]

So the resolution was agreed to.

[For the debate on this resolution, see CONGRESSIONAL RECORD, 1st sess. 52d Cong., 1430-1432.]

PETITIONERS.

[2 J. of S., 481, Apr. 27, 1798.]

On motion by Mr. Marshall,

Resolved, That no motion shall be deemed in order to admit any person or persons whatever within the doors of the Senate Chamber to present any petition, memorial, or address, or to hear any such read.

[There was no discussion.]

[2d sess. 45th Cong., J. of S., 76, Jan. 10, 1878.]

Mr. Sargent submitted the following resolution for consideration:

Whereas thousands of the women of the United States have petitioned Congress for an amendment to the Constitution allowing women the right of suffrage; and

Whereas many of the representative women of the country favoring such amendment are present in the city and have requested to be heard before the Senate in the advocacy of said amendment:

Resolved, That at a session of the Senate to be held on _____ said representative women, or such of them as may be designated for that purpose, may be heard before the Senate, but for two hours only.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question, Will the Senate agree thereto?

It was determined in the negative, {Yeas----- 13
Nays----- 31

On motion by Mr. Sargent,

The yeas and nays being desired by one-fifth of the Senators present. So the resolution was not agreed to.

[CONGRESSIONAL RECORD, 2d sess. 45th Cong., 255-267.]

[2d sess. 45th Cong., J. of S., 83, Jan. 14, 1878.]

Mr. Edmunds submitted the following resolution; it was referred to the Committee on Rules and ordered to be printed:

Resolved, That the following be one of the standing rules of the Senate:

No motion shall be deemed in order to admit any person whatsoever within the doors of the Senate Chamber to present any petition, memorial, or address, or to hear any such read, or to address the Senate, except as parties or counsel in cases of contempt or impeachment.

DISTINGUISHED VISITORS AND OTHERS.

GEN. LAFAYETTE.

[2d sess. 18th Cong., J. of S., 7, Dec. 7, 1824.]

A message from the House of Representatives, by Mr. Clarke, their clerk:

Mr. PRESIDENT: The House of Representatives have passed a resolution for the appointment of chaplains; and a resolution for a joint committee to consider and report what respectful mode it may be proper for Congress to adopt to receive Gen. Lafayette, and have appointed a committee on their part; in which resolutions they request the concurrence of the Senate, and he withdrew.

On motion by Mr. Barbour,

The Senate proceeded to consider the last-named resolution; and

Resolved, That the Senate concur therein.

[2d sess. 18th Cong., J. of S., 28, Dec. 8, 1824.]

The committee on the part of the Senate recommend that the President of the Senate invite Gen. Lafayette to take a seat, such as he shall designate, in the Senate Chamber; that the committee deliver the invitation to the general, and introduce him into the Senate, and that the Members receive the general standing.

The said report was read and considered.

Whereupon,

Resolved unanimously, That the Senate do agree therein.

[Ib., 29, Dec. 9, 1824.]

At 1 o'clock Gen. Lafayette was conducted into the Chamber of the Senate by the committee appointed for the purpose;

Whereupon,

Mr. Barbour, as the chairman of the said committee, introduced the general to the Senate, when the Senators arose from their seats and remained standing until the general was seated on the right of the chair of the President, to which he was invited by the President.

On motion by Mr. Barbour,

That the Senate do now adjourn, in order that the Members may present their respects to Gen. Lafayette individually, it was unanimously determined in the affirmative;

Whereupon,

The President adjourned the Senate to Monday next.

LIEUT. WILKES.

[2d sess. 27th Cong., J. of S., 447, July 5, 1842.]

Mr. Tappan submitted the following resolution:
Resolved, That the forty-seventh rule of the Senate be amended by adding to the persons who may be admitted on the floor of the Senate, Lieut. Wilkes and the officers who served with him during the exploring expedition.

The Senate proceeded to consider the resolution by unanimous consent, and

On the question to agree thereto,

It was determined in the negative.

[Congressional Globe, 2d sess. 27th Cong., 718.]

EX-PRESIDENT OF TEXAS.

[2d sess. 28th Cong., J. of S., 178, Feb. 17, 1842.]

By unanimous consent it was
Resolved, That the ex-President of the Republic of Texas be admitted on the floor of the Senate.

REV. THEOBALD MATTHEW.

[1st sess. 31st Cong., J. of S., 9, Dec. 19, 1849.]

Mr. Walker submitted the following resolution for consideration:
Resolved, To admit Rev. Theobald Matthew within the bar of the Senate during his sojourn in Washington.

It was agreed to.

[Congressional Globe, 1st sess. 31st Cong., 51-59.]

The resolution was objected to by Senators Calhoun, Dawson, and Foote as establishing a bad precedent. Mr. Clay argued in its favor:

"I understand that according to the usage of the Senate, any Member may introduce into the lobby any distinguished person whom he thinks proper to introduce. I had understood that to be the rule; perhaps I am mistaken; but be that as it may, I think, sir, that that resolution is an homage to humanity, to philanthropy, to virtue; that it is a merited tribute to a man who has achieved a great social revolution—a revolution in which there has been no bloodshed, no desolation inflicted, no tears of widows and orphans extracted, and one of the greatest which has been achieved by any of the benefactors of mankind. Sir, it is a compliment due from the Senate, small as it may be. * * *

LOUIS KOSSUTH.

[1st sess. 32d Cong., J. of S., 88, Dec. 29, 1852.]

The committee reported that in relation to Louis Kossuth the same proceeding be taken as in the case of Gen. Lafayette, to wit: "That the chairman of the committee introduce him with these words: 'We present Louis Kossuth to the Senate of the United States,' upon which the Senators are recommended to rise and the President will invite him to be seated."

And the report was agreed to.

[Congressional Globe, 1st sess. 32d Cong., 157.]

[Ib., 95, Jan. 5, 1852.]

At 1 o'clock Louis Kossuth was conducted into the Chamber of the Senate by the committee appointed for that purpose; and

Mr. Shields, as chairman of the committee, introduced him to the Senate.

The Senate having risen, the President pro tempore addressed him as follows:

"Louis Kossuth, I welcome you to the Senate of the United States. The committee will conduct you to the seat which I have caused to be prepared for you."

The Senators having resumed their seats,

On motion by Mr. Mangum,

That the Senate adjourn in order that the Members may present their respects to Louis Kossuth individually.

It was determined in the affirmative; and

The Senate adjourned.

[Congressional Globe, 1st sess. 32d Cong., 199.]

OFFICERS AND SOLDIERS OF THE WAR OF 1812.

[2d sess. 33d Cong., J. of S., 99, Jan. 9, 1855.]

Resolved, That the officers and soldiers of the War of 1812, now holding a convention in this city, be invited to occupy seats upon the floor of the Senate, without the bar, during the sitting of the convention.

Resolved, That the Secretary of the Senate communicate a copy of this resolution to the president of the convention for the information of the members.

Considered by unanimous consent and agreed to.

[Congressional Globe, 2d sess. 33d Cong., 208.]

EX-PRESIDENT OF BOLIVIA.

[1st sess. 36th Cong., J. of S., 127, Feb. 6, 1860.]

On motion by Mr. Davis, and by unanimous consent,

Ordered, That the ex-President of the Republic of Bolivia be admitted on the floor of the Senate.

[Congressional Globe, 1st sess. 36th Cong., 669.]

VICE-ADMIRAL FARRAGUT.

[2d sess. 38th Cong., J. of S., 67, Jan. 13, 1865.]

Mr. Grimes announced the presence in the Senate Chamber of Vice Admiral Farragut, of the United States Navy, distinguished for his many services, and the first officer in the naval service upon whom the title has been conferred; and moved that the Senate take a recess of 10 minutes to enable the Members of the Senate to exchange courtesies with him, and

The Senate, by unanimous consent, took a recess of 10 minutes.

LEGISLATURE OF OHIO.

[2d sess. 41st Cong., J. of S., 523, Apr. 20, 1870.]

On motion by Mr. Davis,

Ordered, That the privilege of the floor of the Senate Chamber for this day be extended to the officers and members of the Legislature of the State of Ohio, now on a visit to the National Capital.

[Congressional Globe, 2d sess. 41st Cong., 2830.]

KING OF THE HAWAIIAN ISLANDS.

[2d sess. 43d Cong., J. of S., 42, Dec. 14, 1874.]

Mr. Cameron submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring), That a joint committee of two from the Senate and three from the House of Representatives be appointed by the Presiding Officers of the respective Houses to take measures for the proper notice of the pres-

ence at the Capital of His Majesty, Kalakaua, King of the Hawaiian Islands;

And

The Vice President appointed Mr. Cameron and Mr. McCreery members of the committee on the part of the Senate.

[CONGRESSIONAL RECORD, 2d sess. 43d Cong., 6-8.]

[Ib., 43.]

A message from the House of Representatives, by Mr. McPherson, its Clerk.

The House of Representatives has concurred in the resolution of the Senate to appoint a joint committee to take measures for the proper notice of the presence at the Capital of His Majesty, Kalakaua, King of the Hawaiian Islands, and has appointed Mr. Orth, Mr. E. Rockwood Hoar, and Mr. Cox members of the committee on its part.

[CONGRESSIONAL RECORD, Ib., 69.]

[Ib., 54, Dec. 17, 1874.]

Mr. Cameron, from the joint committee appointed to consider what notice should be taken of the presence at the Capital of the King of the Hawaiian Islands, reported that they had called upon His Majesty and invited him to visit the Capitol to-morrow; that he would be present; and that they had made arrangements for his reception by the Senate and House, in the Hall of the House of Representatives, at quarter past 12 o'clock on that day.

[Ib., 55, Dec. 18, 1874.]

On motion by Mr. Cameron,

The Senate took a recess until 1 o'clock p. m.

[CONGRESSIONAL RECORD, Ib., 117.]

GEORGE BANCROFT.

[3d sess. 45th Cong., J. of S., 95, Jan. 8, 1879.]

Mr. Thurman submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Rules are hereby instructed to inquire whether the rules shall not be so amended as to admit to the privileges of the floor the ex-cabinet minister whose appointment was earliest in the date of those now living.

[CONGRESSIONAL RECORD, 3d sess. 45th Cong., 370. There was no discussion.]

[Ib., 123, Jan. 16, 1879.]

Mr. Blaine, from the Committee on Rules, to whom was referred the resolution submitted by Mr. Thurman, January 8, 1879, to amend the rules so as to admit to the privileges of the floor the ex-cabinet minister whose appointment was earliest in date of those now living, reported the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Hon. George Bancroft be admitted to the privileges of the floor of the Senate.

[CONGRESSIONAL RECORD, 3d sess. 45th Cong., 482. There was no discussion.]

WINFIELD S. HANCOCK.

[3d sess. 46th Cong., J. of S., 412, Mar. 5, 1881.]

Mr. Hoar submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That Winfield Scott Hancock be entitled to the privileges of the floor of the Senate during his stay in Washington.

EMINENT CITIZENS.

[1st sess. 48th Cong., J. of S., 297, Feb. 12, 1884.]

[A resolution was referred to the Committee on Rules.]

That the President of the Senate shall have authority to admit to the floor of the Senate, on request of Senators, eminent citizens from the several States and Territories when it can be done without inconvenience to the Senate in the transaction of business. (No discussion.)

[Mar. 25, 1884, the committee were discharged from further consideration of the resolution (Ib., 462).]

[Indefinitely postponed. CONGRESSIONAL RECORD, 1st sess. 48th Cong., 2236.]

SUPPLEMENT TO THE LIST OF FURBER, UNITED STATES SENATE PRECEDENTS, PAGES 29-44.

Members elect of the House of Representatives; February 28, 1885; CONGRESSIONAL RECORD, Forty-eighth Congress, second session, volume 16, part 3, page 2290.

G. C. Moody, of Dakota; January 18-19, 1886; CONGRESSIONAL RECORD, Forty-ninth Congress, first session, volume 17, part 1, pages 701, 741.

Members elect of the House of Representatives; February 22, 1889; CONGRESSIONAL RECORD, Fiftieth Congress, second session, volume 20, part 3, page 2201.

Rev. Phillips Brooks; February 4, 1891; CONGRESSIONAL RECORD, Fifty-second Congress, first session, volume 22, part 3, page 2171.

William Wirt Henry, of Virginia; September 15, 1893; CONGRESSIONAL RECORD, Fifty-third Congress, first session, volume 25, part 2, page 1501.

New Hampshire Council and members of the staff of the governor; December 17, 1894; CONGRESSIONAL RECORD, Fifty-third Congress, third session, volume 27, part 1, page 343.

Members of the Massachusetts Legislature; December 19, 1894; CONGRESSIONAL RECORD, Fifty-third Congress, third session, volume 27, part 1, page 430.

Electoral messengers; January 20, 1897; CONGRESSIONAL RECORD, Fifty-fourth Congress, second session, volume 29, part 1, page 962.

Governors elect of Colorado and New Hampshire; December 13, 1898; CONGRESSIONAL RECORD, Fifty-fifth Congress, third session, volume 32, part 1, page 138.

Committee of the Grand Army of the Republic; CONGRESSIONAL RECORD, Fifty-sixth Congress, first session, volume 33, part 6, page 5537.

Martin Maginnis, of Montana; May 29, 1900; CONGRESSIONAL RECORD, Fifty-sixth Congress, first session, volume 33, part 7, page 6190.

Hon. Raoul Dandurand and Hon. Sir Mackenzie Bowell, of the Canadian Parliament; March 3, 1905; CONGRESSIONAL RECORD, Fifty-eighth Congress, third session, volume 39, part 4, page 3969.

Benito Legarda and Pablo Ocampo, Resident Commissioners of the Philippines; January 28, 1908; CONGRESSIONAL RECORD, Sixtieth Congress, first session, volume 42, part 2, page 1171.

MOUNT VERNON.

Mr. PHELAN. I submit a resolution, which I ask to have read and referred to the appropriate committee.

The resolution (S. Res. 194) was read, as follows:

Whereas although privately controlled the home of George Washington, "the Father of his Country," at Mount Vernon, is the most precious and revered of national monuments and has been preserved and maintained by the Mount Vernon Ladies' Association of the Union, which is entitled to the highest public commendation for its patriotic purpose and labors, and is a sacred shrine and a source of patriotic inspiration, and should be accessible to the largest number of our people, now barred by existing regulations: Therefore be it

Resolved, That the board of regents of the Mount Vernon Ladies' Association of the Union be respectfully requested to consider the propriety of opening the home of Washington to visitors on Sundays.

The VICE PRESIDENT. To what committee shall the resolution go?

Mr. PHELAN. I suggest the Committee on the Library. I know of no more appropriate committee.

The VICE PRESIDENT. The resolution will be referred to the Committee on the Library.

PROCEEDINGS OF EXECUTIVE SESSION.

Mr. LA FOLLETTE. I submit the following resolution, which I ask to have read.

The resolution (S. Res. 193) was read, as follows:

Resolved, That it is the judgment of the Senate that all sessions for the consideration of executive business shall hereafter be open to the public, except when treaties are considered, or when the Senate, by a vote of two-thirds of the Members present and voting therefor, shall order otherwise. And the proceedings of executive sessions open to the public shall be recorded as are the proceedings of legislative sessions. The Committee on Rules is directed to prepare such amendments to existing rules and to prepare such additional rules as may be necessary to give effect to this resolution and present the same to the Senate for action thereon.

Mr. LA FOLLETTE. Mr. President, I request that the resolution lie on the table for the present, and at such time as the business of the Senate will make it possible I shall address myself to it.

The VICE PRESIDENT. The resolution will lie on the table, subject to the call of the Senator from Wisconsin.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. I ask unanimous consent for a reprint of the immigration bill, which has been reported and is now on the calendar, so as to include certain subsequent amendments which have been agreed upon by the Committee on Immigration. The committee desire that the amendments which have been agreed upon since the bill was reported may be now printed for the convenience of the Senate.

The VICE PRESIDENT. May the Chair suggest to the Senator from South Carolina that the proper procedure would seem to be to withdraw the reported bill, to insert the amendments, and to then rereport the bill?

Mr. SMITH of South Carolina. I understand that that can not be done. Therefore I will withdraw the request and have the amendments printed for the convenience of Senators as separate amendments.

ADDRESS OF HON. R. L. METCALFE.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent to have printed in the Record a short article by Hon. R. L. Metcalfe, former governor of the Panama Canal Zone, entitled "The kingdom, the power, and the glory," being a statement in favor of active effort on the part of the United States to procure peace.

The VICE PRESIDENT. It will be so ordered in the absence of objection. The Chair hears none.

The article referred to is as follows:

"THE KINGDOM, THE POWER, AND THE GLORY."

[R. L. Metcalfe in Omaha Nebraska.]

Suppose the President of the United States were to throw away all thought of "propriety" and "international custom" and official "dignity" and issue an appeal to all the warring nations of Europe, an appeal made in humanity's name, to bring this terrible war to an end?

Suppose this appeal were made not in the privacy of diplomatic circles but made within the hearing of all the world? Wouldn't it be great?

If written as only Woodrow Wilson could write it, wouldn't it go ringing 'round the wide, wide world? Wouldn't it go ringing through the chambers of human hearts in every land beneath the sun? Wouldn't it be sweet music in the ears of the good God Himself?

Suppose, then, that every Englishman and every German and Austrian and Frenchman, and every plain ordinary American, within the borders of our own land should give the prayer he has given to partisan cause to the support of our President's appeal for universal peace? Wouldn't it be great?

Suppose all the energy and ingenuity that have been put forth by partisans in our own land in helping European favorites through money and speech and writings and conspiracies should be exerted in support of our President's appeal made in humanity's name? Wouldn't it be great?

Suppose that our prayers, our hopes, our faith, our tears, should touch the hearts of the rank and file in England, in Germany, and in other of the warring countries until they, too, took up the cry for peace? Wouldn't it be great?

Suppose all the world, outside of the kings and their marching armies, should follow the leadership of an American President brave enough to do the simplest of things in the hope of accomplishing the biggest of results? Wouldn't it be great?

Of course it would be a simple thing to do. But let us not forget that "simple things" were responsible for this war. And let us remember that all the big things of life have been accomplished through simple things.

The biggest conquests that have ever been won in civilization came as the result of original efforts so simple that they were sneered at in their pioneer days.

The biggest books that have ever been written were rejected at one time by those who could not recognize the bigness of simplicity.

The biggest fortunes that have ever been amassed have been due to the recognition of the value of simple things by one man who could see treasures at his very feet while his neighbor was seeking wealth in the clouds.

The biggest thoughts that have ever been held in the minds of men are the thoughts that deal with the so-called "simple" things of life.

The biggest forces in the American battle against human slavery were put forth by one man who was dragged through the streets of Boston with a rope around his neck, and by another who was hunted and slain and persecuted even as the poor creatures whom he sought to serve were hunted and slain. But Garrison fulfilled his promise "I will be heard," and the soul of John Brown goes marching on through the ages.

The biggest Person that ever trod the earth was crucified for the simple truth He taught, and to-day all civilization gives answer to His Judge's question, "What is truth?" by pointing to the things He taught, and for the teaching of which He died, and "writing upon the eternal dome, glittering with stars," the words, "This is the truth!" So it has been written in the simplest of verse and the sublimest of truth:

I know a world that is rent and torn,
Of hearts that faint and tire;
But I know of a Name, a Name, a Name,
That can set that world on fire.

Wouldn't it be worth the effort for the President of our great country to break all restraint and make this trial? What if all the world seems on fire! What if millions are in arms bent on war! What if the cars of kings are stopped to human cries and their hearts untouched by human suffering! "One on God's side is a majority," and no one may surely say what would be the result of a simple, heartfelt, God-directed appeal coming from the White House of America. No one may surely predict a failure to a call made upon all civilization to go marching to "the still, sad music of humanity."

Is it not worth the effort? Even if it did not bring immediate results, it would not be lost. It might bring peace. Wouldn't it be great?

Even this editorial, printed as it is in a weekly newspaper, can not be lost. It is conceived in truth and written in the deepest solemnity. Humble in origin, inconspicuous, so far as concerns the great world—it is all that. But it speaks what is in the hearts of countless millions of men and women and children. More than that, it must speak what is in the very heart of God Himself. And so I send it on its way, knowing it can not be lost, feeling that for its very truth it will touch the hearts of those who read, and giving it—in the deepest reverence—the blessing of the world-wide prayer: "Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory forever. Amen."

WOMAN SUFFRAGE.

Mr. GALLINGER. Mr. President, I have been requested to announce that the Members of the Senate are cordially invited to be present in the Rotunda of the Capitol to-day at 5 o'clock to meet the envoys from the suffrage States elected by the woman voters' conference in Salt Lake City on May 12, who will present resolutions from the woman voters to Congress at the hour I have named.

AMENDMENT OF THE RULES.

Mr. LA FOLLETTE. I desire to give notice of a proposed amendment to paragraph 2 of Rule XXXVI of the standing rules of the Senate by adding at the end of that paragraph the following:

Consideration of and action upon nominations which must be confirmed by the Senate shall be in open executive session unless the Senate by a vote of two-thirds of the Members present and voting therefor shall order otherwise.

The purpose of the suggested amendment is to have the proceedings of the Senate while acting upon nominations open to the public and recorded as are the proceedings of legislative sessions.

NATIONAL DEFENSE (S. DOC. NO. 442).

Mr. CHAMBERLAIN. I desire to submit the report of the conferees of the Senate and the House upon the Army reorganization bill. I wish to state in this connection that some time to-day I shall endeavor to have the report taken up for consideration.

The conference report submitted by Mr. CHAMBERLAIN was ordered to be printed in the Record, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment to the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment

as follows: In lieu of the matter proposed by the amendment of the Senate insert the following:

"That the Army of the United States shall consist of the Regular Army, the Volunteer Army, the Officers' Reserve Corps, the Enlisted Reserve Corps, the National Guard while in the service of the United States, and such other land forces as are now or may hereafter be authorized by law.

"SEC. 2. Composition of the Regular Army: The Regular Army of the United States, including the existing organizations, shall consist of 64 regiments of Infantry, 25 regiments of Cavalry, 21 regiments of Field Artillery, a Coast Artillery Corps, the brigade, division, army corps, and army headquarters, with their detachments and troops, a General Staff Corps, an Adjutant General's Department, an Inspector General's Department, a Judge Advocate General's Department, a Quartermaster Corps, a Medical Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, the officers of the Bureau of Insular Affairs, the Militia Bureau, the detached officers, the detached noncommissioned officers, the chaplains, the Regular Army Reserve, all organized as hereinafter provided, and the following as now authorized by law: The officers and enlisted men on the retired list; the additional officers; the professors, the Corps of Cadets, the general Army service detachment, and detachments of Cavalry, Field Artillery, and Engineers, and the band of the United States Military Academy; the post noncommissioned staff officers; the recruiting parties, the recruit depot detachments, and unassigned recruits; the service school detachments; the disciplinary guards; the disciplinary organizations; the Indian Scouts; and such other officers and enlisted men as are now or may be hereafter provided for: *Provided*, That hereafter the enlisted personnel of all organizations of the Regular Army shall at all times be maintained at a strength not below the minimum strength fixed by law: *Provided further*, That the total enlisted force of the line of the Regular Army, excluding the Philippine Scouts and the enlisted men of the Quartermaster Corps, of the Medical Department, and of the Signal Corps, and the unassigned recruits, shall not at any one time, except in the event of actual or threatened war or similar emergency in which the public safety demands it, exceed 175,000 men: *Provided further*, That the unassigned recruits at depots or elsewhere shall at no time, except in time of war, exceed by more than 7 per cent the total authorized enlisted strength.

"SEC. 3. Composition of brigades, divisions, etc.: The mobile troops of the Regular Army of the United States shall be organized, as far as practicable, into brigades and divisions. The President is authorized, in time of actual or threatened hostilities, or when in his opinion the interests of the public service demand it, to organize the brigades and divisions into such army corps or armies as may be necessary. The typical Infantry brigade shall consist of a headquarters and three regiments of Infantry. The typical Cavalry brigade shall consist of a headquarters and three regiments of Cavalry. The typical Field Artillery brigade shall consist of a headquarters and three regiments of Field Artillery. The typical Infantry division shall consist of a headquarters, three Infantry brigades, one regiment of Cavalry, one Field Artillery brigade, one regiment of Engineers, one field signal battalion, one aero squadron, one ammunition train, one supply train, one engineer train, and one sanitary train. The typical Cavalry division shall consist of a headquarters, three Cavalry brigades, one regiment of Field Artillery (horse), one battalion of mounted Engineers, one field signal battalion (mounted), one aero squadron, one ammunition train, one supply train, one engineer train, and one sanitary train. The typical army corps shall consist of a headquarters, two or more Infantry divisions, one or more Cavalry brigades or a Cavalry division, one Field Artillery brigade, one telegraph battalion, and one field signal battalion, and such ammunition, supply, engineer, and sanitary trains as the President may deem necessary. A brigade, a division, an army corps, and an army headquarters shall consist of such officers, enlisted men, and civilians as the President may prescribe. Each supply train, ammunition train, sanitary train, and engineer train shall consist of such officers and enlisted men and shall be organized as the President may prescribe, the line officers necessary therewith to be detailed under the provisions of sections 26 and 27, act of Congress approved February 2, 1901. Nothing herein contained, however, shall prevent the President from increasing or decreasing the number of organizations prescribed for the typical brigades, divisions, and army corps, or from prescribing new and different organizations and personnel as the efficiency of the service may require.

"SEC. 4. General officers of the line: Officers commissioned to and holding in the Army the office of a general officer shall hereafter be known as general officers of the line; officers commissioned to and holding in the Army an office other than that

of a general officer, but to which the rank of a general officer is attached, shall be known as general officers of the staff. The number of general officers of the line now authorized by law is hereby increased by 4 major generals and 10 brigadier generals: *Provided*, That hereafter in time of peace major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the Regular Army.

"SEC. 5. The General Staff Corps: The General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from major generals of the line; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom, not above the grade of brigadier general, shall be the president of the Army War College; 10 colonels; 10 lieutenant colonels; 15 majors; and 17 captains, to be detailed from corresponding grades in the Army, as in this section hereinafter provided. All officers detailed in the General Staff Corps shall be detailed therein for periods of four years, unless sooner relieved. While serving in the General Staff Corps officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps officers shall return to the branch of the Army in which they hold permanent commissions, and no officer shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. Section 27 of the act of Congress approved February 2, 1901, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps.

"Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia. All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate general staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed: *Provided*, That no officer shall be detailed as a member of the General Staff Corps, other than the Chief of Staff and the general officers herein provided for as assistants to the Chief of Staff, except upon the recommendation of a board of five officers not below the rank of colonel, who shall be selected by the President or the Secretary of War, and neither the Chief of Staff nor more than two other members of the General Staff Corps, nor any officer not a member of said corps, who shall have been stationed or employed on any duty in or near the District of Columbia within one year prior to the date of convening of any such board, shall be detailed as a member thereof. No recommendation made by any such board shall, for more than one year after the making of such recommendation or at any time after the convening of another such board, unless again recommended by the new board, be valid as a basis for the detail of any officer as a member of the General Staff Corps; and no alteration whatever shall be made in any report or recommendation of any such board, either with or without the consent of members thereof, after the board shall have submitted such report or recommendation and shall have adjourned sine die: *Provided further*, That the War College shall remain fully subject to the supervising, coordinating, and informing powers conferred by law upon members of the General Staff Corps, and officers for duty as instructors or students in or as attachés of said college may be selected and detailed freely from among members of said corps, but any officer so selected and detailed other than one director shall thereupon cease to be a member of said corps and shall not be eligible for redetail therein so long as he shall remain on said duty; and no officer on the active list of the Army shall, for more than 30 days in any calendar year, be attached to or assigned to duty in the War College in any capacity other than that of president, director, instructor, or student, or, unless a member of the General Staff Corps, be attached to or employed in the office of the Chief of Staff: *Provided further*, That the organizations heretofore existing in or in connection with the office of the Chief of Staff under the designations of the mobile army division and the Coast Artillery division be, and they are hereby, abolished and shall not be reestablished. The business heretofore transacted in said divisions, except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic act of Congress approved February 14, 1903, is hereby transferred as follows, to wit, to the office of

the Chief of Coast Artillery, all business apportioned to that office by law or Army regulations at the time of the creation of the Coast Artillery division of the office of the Chief of Staff; to the office of The Adjutant General or other bureau or bureaus concerned, all other business; and, subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the act of Congress last hereinbefore cited, the business transferred by this provision to certain bureaus or offices shall hereafter be transacted exclusively by or under the direction of the respective heads thereof; and the Chief of Coast Artillery shall be an additional member of the General Staff Corps and shall also be adviser to and informant of the Chief of Staff in respect to the business under his charge: *Provided further*, That hereafter members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic act of Congress last hereinbefore cited, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof: *Provided further*, That all pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his neglect, any subordinate shall violate any of the foregoing provisions of this section: *Provided further*, That if any officer detailed in the General Staff Corps, or as an officer of any staff corps or department of the Army, shall be promoted to the next higher grade while so serving he may be permitted to serve out the period of his detail, and the number of officers in the organization in which he shall be serving and in the grade to which he shall have been promoted shall be increased by one for such time as he shall be an additional number in said organization and grade; but the whole number of officers detailed to said organization shall at no time exceed the aggregate of the numbers allowed to the several grades thereof by law other than this proviso.

"Sec. 6. The Adjutant General's Department: The Adjutant General's Department shall consist of The Adjutant General with the rank of brigadier general; 7 adjutants general with the rank of colonel; 13 adjutants general with the rank of lieutenant colonel; and 30 adjutants general with the rank of major.

"Sec. 7. The Inspector General's Department: The Inspector General's Department shall consist of 1 Inspector General with the rank of brigadier general; 4 inspectors general with the rank of colonel; 8 inspectors general with the rank of lieutenant colonel; and 16 inspectors general with the rank of major.

"Sec. 8. The Judge Advocate General's Department: The Judge Advocate General's Department shall consist of 1 Judge Advocate General with the rank of brigadier general; 4 judge advocates with the rank of colonel; 7 judge advocates with the rank of lieutenant colonel; and 20 judge advocates with the rank of major: *Provided*, That acting judge advocates may be detailed under the provisions of existing law for separate brigades and for separate general court-martial jurisdictions, and when not immediately required for service with a geographical department, tactical division, separate brigade, or other separate general court-martial jurisdiction, acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require: *Provided further*, That of the vacancies created in the Judge Advocate General's Department by this act, one such vacancy, not below the grade of major, shall be filled by the appointment of a person from civil life, not less than 45 nor more than 50 years of age, who shall have been for 10 years a judge of the Supreme Court of the Philippine Islands, shall have served for 2 years as a captain in the Regular or Volunteer Army, and shall be proficient in the Spanish language and laws: *Provided further*, That so much of the act of Congress approved August 24, 1912, as relates to the detachment or detail of officers for duty in the Judge Advocate General's Department shall hereafter be held to apply only to the acting judge advocates authorized by law; and hereafter no officer shall be or remain detached from any command or assigned to any duty or station with intent to enable or aid him to pursue the study of law: *And provided further*, That no officer of the Judge Advocate General's Department below the rank of colonel shall be promoted therein until he shall have successfully passed a written examination before a board consisting of not less than two officers of the Judge Advocate General's Department, to be designated by the Secretary of War, such examination to be prescribed by the Secretary of War and to be held at such time anterior to the accruing of the right to promotion as

may be for the best interests of the service: *Provided*, That should any officer in the grade of major of the Judge Advocate General's Department fail in his physical examination and be found incapacitated for service by reason of physical disability contracted in the line of duty, he shall be retired with the rank to which his seniority entitled him to be promoted; but if he should be found disqualified for promotion for any other reason, a second examination shall not be allowed, but the Secretary of War shall appoint a board of review to consist of two officers of the Judge Advocate General's Department superior in rank to the officer examined, none of whom shall have served as a member of the board which examined him. If the unfavorable finding of the examining board is concurred in by the board of review, the officer reported disqualified for promotion shall be honorably discharged from the service with one year's pay. If the action of the examining board is disapproved by the board of review, the officer shall be considered qualified and shall be promoted: *Provided further*, That any lieutenant colonel of the Judge Advocate General's Department who, at his first examination for promotion to the grade of colonel, has been found disqualified for such promotion for any reason other than physical disability incurred in the line of duty shall be suspended from promotion and his right thereto shall pass successively to such officers next below him in rank as are or may become eligible to promotion under existing law during the period of his suspension; and any such officer suspended from promotion shall be reexamined as soon as practicable after the expiration of one year from the date of the completion of the examination that resulted in his suspension; and if on such re-examination he is found qualified for promotion, he shall again become eligible thereto; but if he is found disqualified by reason of physical disability incurred in line of duty in either examination, he shall be retired, with the rank to which his seniority entitled him to be promoted; and if he is not found disqualified by reason of such physical disability, but is found disqualified for promotion for any other reason in the second examination, he shall be retired without promotion.

"Sec. 9. The Quartermaster Corps: The Quartermaster Corps shall consist of 1 Quartermaster General with the rank of major general; 2 assistants to the Quartermaster General with the rank of brigadier general; 21 colonels; 24 lieutenant colonels; 68 majors; 180 captains; and the pay clerks now in active service, who shall hereafter have the rank, pay, and allowances of a second lieutenant, and the President is hereby authorized to appoint and commission them, by and with the advice and consent of the Senate, second lieutenants in the Quartermaster Corps, United States Army. The total enlisted strength of the Quartermaster Corps and the number in each grade shall be limited and fixed from time to time by the President in accordance with the needs of the Army, and shall consist of quartermaster sergeants, senior grade; quartermaster sergeants; sergeants, first class; sergeants; corporals; cooks; privates, first class; and privates. The number in the various grades shall not exceed the following percentages of the total authorized enlisted strength of the Quartermaster Corps, namely: Quartermaster sergeants, senior grade, five-tenths of 1 per cent; quartermaster sergeants, 6 per cent; sergeants, first class, 2.5 per cent; sergeants, 25 per cent; corporals, 10 per cent; privates, first class, 45 per cent; privates, 9 per cent; cooks, 2 per cent: *Provided*, That the master electricians now authorized by law for the Quartermaster Corps shall hereafter be known as quartermaster sergeants, senior grade, and shall be included in the number of quartermaster sergeants, senior grade, herein authorized: *And provided further*, That all work pertaining to construction and repair that has heretofore been done by or under the direction of officers of the Quartermaster Corps shall, except as otherwise now provided by laws or regulations, hereafter be done by or under the direction of officers of said corps.

"Sec. 10. The Medical Department: The Medical Department shall consist of one Surgeon General, with the rank of major general during the active service of the present incumbent of that office, and thereafter with the rank of brigadier general, who shall be chief of said department, a Medical Corps, a Medical Reserve Corps within the limit of time fixed by this act, a Dental Corps, a Veterinary Corps, an enlisted force, the Nurse Corps, and contract surgeons as now authorized by law, the commissioned officers of which shall be citizens of the United States.

"The Medical Corps shall consist of commissioned officers below the grade of brigadier general, proportionally distributed among the several grades as in the Medical Corps now established by law. The total number of such officers shall approximately be equal to, but not exceed, except as hereinafter provided, 7 for every 1,000 of the total enlisted strength of the Regular Army authorized from time to time by law: *Provided*,

That if by reason of a reduction by law in the authorized enlisted strength of the Army aforesaid the total number of officers in the Medical Corps commissioned previously to such reduction shall for the time being exceed the equivalent of 7 to 1,000 of such reduced enlisted strength no original appointment to commissioned rank in said corps shall be made until the total number of commissioned officers thereof shall have been reduced below the equivalent of 7 to the 1,000 of the said reduced enlisted strength, nor thereafter so as to make the total number of commissioned officers thereof in excess of the equivalent of 7 to the 1,000 of said reduced enlisted strength; and no promotion shall be made above the grade of captain in said corps until the number of officers in the grade above that of captain to which the promotion is due shall have been reduced below the proportional number authorized for such grade on the basis of the reduced enlisted strength, nor thereafter so as to make the number of officers in such grade in excess of the proportional number authorized on the basis of said reduced enlisted strength: *Provided further*, That when in time of war the Regular Army shall have been increased by virtue of the provisions of this or any other act, the medical officers appointed to meet such increase shall be honorably discharged from the service of the United States when the reduction of the enlisted strength of the Army shall take place: *Provided further*, That persons hereafter commissioned in the Medical Corps shall be citizens of the United States between the ages of 22 and 30 years and shall be promoted to the grade of captain upon the completion of five years' service in the Medical Corps and upon passing the examinations prescribed by the President for promotion to the grade of captain in the Medical Corps: *Provided further*, That relative rank among captains in the Medical Corps, who have or shall have attained that rank by operation of law after a period of service fixed thereby, shall be determined by counting all the service rendered by them as officers in said corps and as assistant surgeons in the Regular Army, subject, however, to loss of files by reason of sentence of court-martial or by reason of failure to pass examination for promotion: *Provided further*, That hereafter the President shall be authorized to detail not to exceed five officers of the Medical Department of the Army for duty with the military relief division of the American National Red Cross.

"The enlisted force of the Medical Department shall consist of the following personnel, who shall not be included in the effective strength of the Army nor counted as a part of the enlisted force provided by law: Master hospital sergeants, hospital sergeants, sergeants (first class), sergeants, corporals, cooks, horseshoers, saddlers, farriers, mechanics, privates (first class), and privates: *Provided*, That master hospital sergeants shall be appointed by the Secretary of War, but no person shall be appointed master hospital sergeant until he shall have passed a satisfactory examination under such regulations as the Secretary of War may prescribe before a board of one or more medical officers as to his qualifications for the position, including knowledge of pharmacy, and demonstrated his fitness therefor by service of not less than 12 months as hospital sergeant or sergeant, first class, Medical Department, or as sergeant, first class, in the Hospital Corps now established by law; and no person shall be designated for such examination except by written authority of the Surgeon General: *Provided further*, That original enlistments for the Medical Department shall be made in the grade of private, and reenlistments and promotions of enlisted men therein, except as hereinbefore prescribed, and transfer thereto from the enlisted force of the line or other staff departments and corps of the Army shall be governed by such regulations as the Secretary of War may prescribe: *Provided further*, That the enlisted men of the Hospital Corps who are in active service at the time of the approval of this act are hereby transferred to the corresponding grades of the Medical Department established by this act: *Provided further*, That the total number of enlisted men in the Medical Department shall be approximately equal to, but not exceed, except as hereinafter provided, the equivalent of 5 per cent of the total enlisted strength of the Army authorized from time to time by law: *Provided further*, That in time of actual or threatened hostilities, the Secretary of War is hereby authorized to enlist or cause to be enlisted in the Medical Department such additional number of men as the service may require: *Provided further*, That the number of enlisted men in each of the several grades designated below shall not exceed, except as hereinafter provided, the following percentages of the total authorized enlisted strength of the Medical Department, to wit: Master hospital sergeants, one-half of 1 per cent; hospital sergeants, one-half of 1 per cent; sergeants, first class, 7 per cent; sergeants, 11 per cent; corporals, 5 per cent; and cooks, 6 per cent: *Provided further*, That the number of horseshoers, saddlers, farriers, and mechanics in the Medical Department

shall not exceed one each to each authorized ambulance company or like organization: *Provided further*, That in said department the number of privates, first class, shall not exceed 25 per cent of the number of privates: *Provided further*, That if by reason of a reduction by operation of law in the authorized enlisted strength of the Army aforesaid the number of non-commissioned officers of any grade in the Medical Department whose warrants were issued previously to such reduction shall for the time being exceed the percentage hereinabove specified for such grade, no promotion to such grade shall be made until the percentage of noncommissioned officers therein shall have been reduced below that authorized for such grade on the basis of the said reduced enlisted strength, nor thereafter so as to make the percentage of noncommissioned officers therein in excess of the percentage authorized on the basis of the said reduced enlisted strength; but noncommissioned officers may be reenlisted in the grades held by them previously to such reduction regardless of the percentages aforesaid; and when under this provision the number of noncommissioned officers of any grade exceeds the percentage specified, any noncommissioned officer thereof, not under charges, may be discharged on his own application: *Provided further*, That privates, first class, of the Medical Department shall be eligible for ratings for additional pay as follows: As dispensary assistant, \$2 a month; as nurse, \$3 a month; as surgical assistant, \$5 a month: *Provided further*, That no enlisted man shall receive more than one rating for additional pay under the provisions of this section; nor shall any enlisted man receive any additional pay under such rating unless he shall have actually performed the duties for which he shall be rated.

"The President is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental surgeons, who are citizens of the United States between the ages of 21 and 27 years, at the rate of one for each 1,000 enlisted men of the line of the Army. Dental surgeons shall have the rank, pay, and allowances of first lieutenants until they have completed 8 years' service. Dental surgeons of more than 8 but less than 24 years' service shall, subject to such examination as the President may prescribe, have the rank, pay, and allowances of captains. Dental surgeons of more than 24 years' service shall, subject to such examination as the President may prescribe, have the rank, pay, and allowances of major: *Provided*, That the total number of dental surgeons with rank, pay, and allowances of major shall not at any time exceed 15: *And provided further*, That all laws relating to the examination of officers of the Medical Corps for promotion shall be applicable to dental surgeons.

"Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

"Sec. 11. Corps of Engineers: The Corps of Engineers shall consist of 1 Chief of Engineers, with the rank of brigadier general; 23 colonels; 30 lieutenant colonels; 72 majors; 152 captains; 148 first lieutenants; 79 second lieutenants; and the enlisted men hereinafter enumerated. The Engineer troops of the Corps of Engineers shall consist of one band, seven regiments, and two mounted battalions.

"Each regiment of Engineers shall consist of 1 colonel; 1 lieutenant colonel; 2 majors; 11 captains; 12 first lieutenants; 6 second lieutenants; 2 master engineers, senior grade; 1 regimental sergeant major; 2 regimental supply sergeants; 2 color sergeants; 1 sergeant bugler; 1 cook; 1 wagoner for each authorized wagon of the field and combat train, and 2 battalions.

"Each battalion of a regiment of Engineers shall consist of 1 major, 1 captain, 1 battalion sergeant major; 3 master engineers, junior grade; and 3 companies. Each Engineer company (regimental) shall consist of 1 captain; 2 first lieutenants; 1 second lieutenant; 1 first sergeant; 3 sergeants, first class; 1 mess sergeant; 1 supply sergeant; 1 stable sergeant; 6 sergeants; 12 corporals; 1 horseshoer; 2 buglers; 1 saddler; 2 cooks; 19 privates, first class; and 59 privates: *Provided*, That the President may, in his discretion, increase a regiment of Engineers by 2 master engineers, senior grade, and 2 sergeants; each battalion of a regiment of Engineers by 3 master engineers, junior grade; and each Engineer company (regimental) by 2 sergeants, 6 corporals, 1 cook, 12 privates, first class, and 34 privates.

"The Engineer band shall consist of 1 band leader; 1 assistant band leader; 1 first sergeant; 2 band sergeants; 4 band cor-

porals; 2 musicians, first class; 4 musicians, second class; 13 musicians, third class; and 2 cooks.

"Each battalion of mounted Engineers shall consist of 1 major; 5 captains; 7 first lieutenants; 3 second lieutenants; 1 master engineer, senior grade; 1 battalion sergeant major; 1 battalion supply sergeant; 3 master engineers, junior grade; 1 corporal; 1 wagoner for each authorized wagon of the field and combat train; and three mounted companies. Each mounted Engineer company shall consist of 1 captain; 2 first lieutenants; 1 second lieutenant; 1 first sergeant; 2 sergeants, first class; 1 mess sergeant; 1 supply sergeant; 1 stable sergeant; 4 sergeants; 8 corporals; 2 horseshoers; 1 saddler; 2 cooks; 2 buglers; 12 privates, first class; and 37 privates: *Provided*, That the President may, in his discretion, increase the battalions of mounted Engineers by 1 master engineer, senior grade; 2 sergeants; and 3 master engineers, junior grade; and a mounted Engineer company by 2 sergeants; 3 corporals; 8 privates, first class; and 24 privates: *Provided further*, That appropriate officers to command the regiments, battalions, and companies herein authorized and for duty with and as staff officers of such organizations shall be detailed from the Corps of Engineers, and shall not be in excess of the numbers in each grade enumerated in this section. The enlisted force of the Corps of Engineers and the officers serving therewith shall constitute a part of the line of the Army.

"Sec. 12. The Ordnance Department: The Ordnance Department shall consist of 1 Chief of Ordnance, with the rank of brigadier general; 10 colonels; 15 lieutenant colonels; 32 majors, 42 captains; 42 first lieutenants; the ordnance sergeants, as now authorized by law, and such other enlisted men of grades now authorized by law as the President may direct: *Provided*, That ordnance sergeants shall be selected by the Secretary of War from the sergeants of the line or Ordnance Department who shall have served faithfully for eight years, including four years in the grade of noncommissioned officer: *Provided further*, That vacancies which may occur in the commissioned personnel of the Ordnance Department shall be subject to the provisions of sections 26 and 27 of the act approved February 2, 1901, the acts approved June 25, 1906, and February 24, 1915, and acts amendatory thereof relating to the Ordnance Department: *Provided further*, That hereafter the Secretary of War is authorized to detail not to exceed 30 lieutenants from the Army at large for duty as student officers in the establishments of the Ordnance Department for a period of two years; and the completion of the prescribed course of instruction shall constitute the examination for detail in the Ordnance Department.

"Sec. 13. The Signal Corps: The Signal Corps shall consist of 1 Chief Signal Officer, with the rank of brigadier general; 3 colonels; 8 lieutenant colonels; 10 majors; 30 captains; 75 first lieutenants; and the aviation section, which shall consist of 1 colonel; 1 lieutenant colonel; 8 majors; 24 captains; and 114 first lieutenants, who shall be selected from among officers of the Army at large of corresponding grades or from among officers of the grade below, exclusive of those serving by detail in staff corps or departments, who are qualified as military aviators, and shall be detailed to serve as aviation officers for periods of four years unless sooner relieved; and the provisions of section 27 of the act of Congress approved February 2, 1901, are hereby extended to apply to said aviation officers and to vacancies created in any arm, corps, or department of the Army by the detail of said officers therefrom; but nothing in said act or in any other law now in force shall be held to prevent the detail or redetail at any time, to fill a vacancy among the aviation officers authorized by this act, of any officer who, during prior service as an aviation officer of the aviation section, shall have become proficient in military aviation.

"Aviation officers may, when qualified therefor, be rated as junior military aviators or as military aviators, but no person shall be so rated until there shall have been issued to him a certificate to the effect that he is qualified for the rating, and no certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the Aviation Service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the rating. No person shall receive the rating of military aviator until he shall have served creditably for three years as an aviation officer with the rating of a junior military aviator.

"Each aviation officer authorized by this act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of 25 per cent in the pay of his grade and length of service under his commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that

held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of 50 per cent in the pay of his grade and length of service under his commission. Each military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of 75 per cent of the pay of his grade and length of service under his commission: *Provided*, That the provisions of the act of March 2, 1913, allowing increase of pay and allowances to officers detailed by the Secretary of War on aviation duty, are hereby repealed: *Provided further*, That hereafter married officers of the line of the Army shall be eligible equally with unmarried officers, and subject to the same conditions, for detail to aviation duty; and the Secretary of War shall have authority to cause as many enlisted men of the aviation section to be instructed in the art of flying as he may deem necessary: *Provided further*, That hereafter the age of officers shall not be a bar to their first detail in the aviation section of the Signal Corps, and neither their age nor their rank shall be a bar to their subsequent details in said section: *Provided further*, That when it shall be impracticable to obtain from the Army officers suitable for the aviation section of the Signal Corps in the number allowed by law the difference between that number and the number of suitable officers actually available for duty in said section may be made up by appointments in the grade of aviator, Signal Corps, and that grade is hereby created. The personnel for said grade shall be obtained from especially qualified civilians who shall be appointed and commissioned in said grade: *Provided further*, That whenever any aviator shall have become unsatisfactory he shall be discharged from the Army as such aviator. The base pay of an aviator, Signal Corps, shall be \$150 per month, and he shall have the allowances of a master signal electrician and the same percentage of increase in pay for length of service as is allowed to a master signal electrician.

"The total enlisted strength of the Signal Corps shall be limited and fixed from time to time by the President in accordance with the needs of the Army, and shall consist of master signal electricians; sergeants, first class; sergeants; corporals; cooks; horseshoers; privates, first class; and privates; the number in each grade being fixed from time to time by the President. The numbers in the various grades shall not exceed the following percentages of the total authorized enlisted strength of the Signal Corps, namely: Master signal electricians, 2 per cent; sergeants, first class, 7 per cent; sergeants, 10 per cent; corporals, 20 per cent. The number of privates, first class, shall not exceed 25 per cent of the number of privates. Authority is hereby given the President to organize, in his discretion, such part of the commissioned and enlisted personnel of the Signal Corps into such number of companies, battalions, and aero squadrons as the necessities of the service may demand.

"Sec. 14. Bureau of Insular Affairs of the War Department: Nothing in this act shall be construed to repeal existing laws relating to the organization of the Bureau of Insular Affairs of the War Department.

"Sec. 15. Chaplains: The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in service, one for each regiment of Cavalry, Infantry, Field Artillery, and Engineers, and one for each 1,200 officers and men of the Coast Artillery Corps, with rank, pay, and allowances as now authorized by law: *Provided*, That in the appointment of chaplains in the Regular Army, preference and priority shall be given to applicant veterans, if otherwise duly qualified and who shall not have passed the age of 41 years at the time of application, who have rendered honorable war service in the Army of the United States or who have been honorably discharged from such Army.

"Sec. 16. Veterinarians: The President is hereby authorized, by and with the advice and consent of the Senate, to appoint veterinarians and assistant veterinarians in the Army, not to exceed, including veterinarians now in service, 2 such officers for each regiment of Cavalry, 1 for every three batteries of Field Artillery, 1 for each mounted battalion of Engineers, 17 as inspectors of horses and mules and as veterinarians in the Quartermaster Corps, and 7 as inspectors of meats for the Quartermaster Corps; and said veterinarians and assistant veterinarians shall be citizens of the United States and shall constitute the Veterinary Corps and shall be a part of the Medical Department of the Army.

"Hereafter a candidate for appointment as assistant veterinarian must be a citizen of the United States, between the ages of 21 and 27 years, a graduate of a recognized veterinary college or university, and shall not be appointed until he shall have passed a satisfactory examination as to character, physical condition, general education, and professional qualifications.

"An assistant veterinarian appointed under this act shall, for the first 5 years of service as such, have the rank, pay, and allowances of second lieutenant; that after 5 years of service he shall have the rank, pay, and allowances of first lieutenant; that after 15 years of service he shall be promoted to be a veterinarian with the rank, pay, and allowances of captain, and that after 20 years' service he shall have the rank, pay, and allowances of a major: *Provided*, That any assistant veterinarian, in order to be promoted as hereinbefore provided, must first pass a satisfactory examination, under such rules as the President may prescribe, as to professional qualifications and adaptability for the military service; and if such assistant veterinarian shall be found deficient at such examination he shall be discharged from the Army with one year's pay.

"The veterinarians of Cavalry and Field Artillery now in the Army, together with such veterinarians of the Quartermaster Corps as are now employed in said corps, who at the date of the approval of this act shall have had less than five years' governmental service, may be appointed in the Veterinary Corps as assistant veterinarians with the rank, pay, and allowances of second lieutenant; those who shall have had over five years of such service may be appointed in said corps as assistant veterinarians with the rank, pay, and allowances of first lieutenant; and those who shall have had over 15 years of such service may be appointed in said corps as veterinarians with the rank, pay, and allowances of captain: *Provided*, That no such appointment of any veterinarian shall be made unless he shall first pass satisfactorily a practical professional and physical examination as to his fitness for the military service: *Provided further*, That veterinarians now in the Army or in the employ of the Quartermaster Corps who shall fail to pass the prescribed physical examination because of disability incident to the service and sufficient to prevent them from the performance of duty valuable to the Government shall be placed upon the retired list of the Army with 75 per cent of the pay to which they would have been entitled if appointed in the Veterinary Corps as hereinbefore prescribed.

"The Secretary of War, upon recommendation of the Surgeon General of the Army, may appoint in the Veterinary Corps, for such time as their services may be required, such number of reserve veterinarians as may be necessary to attend public animals pertaining to the Quartermaster Corps. Reserve veterinarians so employed shall have the pay and allowances of second lieutenant during such employment and no longer: *Provided*, That such reserve veterinarians shall be graduates of a recognized veterinary college or university and shall pass a satisfactory examination as to character, physical condition, general education, and professional qualifications in like manner as hereinbefore required of assistant veterinarians; such reserve veterinarians shall constitute a list of eligibles for appointment as assistant veterinarians, subject to all the conditions hereinbefore prescribed for the appointment of assistant veterinarians.

"Within a limit of time to be fixed by the Secretary of War, candidates for appointment as assistant veterinarians who shall have passed satisfactorily the examinations prescribed for that grade by this act shall be appointed, in the order of merit in which they shall have passed such examination, to vacancies as they occur, such appointments to be for a probationary period of two years, after which time, if the services of the probationers shall have been satisfactory, they shall be permanently appointed with rank to date from the dates of rank of their probationary appointments. Probationary veterinarians whose services are found unsatisfactory shall be discharged at any time during the probationary period, or at the end thereof, and shall have no further claims against the Government on account of their probationary service.

"The Secretary of War shall from time to time appoint boards of examiners to conduct the veterinary examinations hereinbefore prescribed, each of said boards to consist of three medical officers and two veterinarians.

"Sec. 17. Composition of Infantry units: Each regiment of Infantry shall consist of 1 colonel, 1 lieutenant colonel, 3 majors, 15 captains, 16 first lieutenants, 15 second lieutenants, 1 headquarters company, 1 machine-gun company, 1 supply company, and 12 Infantry companies organized into 3 battalions of 4 companies each.

"Each battalion shall consist of 1 major, 1 first lieutenant, mounted (battalion adjutant), and 4 companies. Each Infantry company in battalion shall consist of 1 captain, 1 first lieutenant,

1 second lieutenant, 1 first sergeant, 1 mess sergeant, 1 supply sergeant, 6 sergeants, 11 corporals, 2 cooks, 2 buglers, 1 mechanic, 19 privates (first class), and 56 privates.

"Each Infantry headquarters company shall consist of 1 captain, mounted (regimental adjutant); 1 regimental sergeant major, mounted; 3 battalion sergeants major, mounted; 1 first sergeant (drum major); 2 color sergeants; 1 mess sergeant; 1 supply sergeant; 1 stable sergeant; 1 sergeant; 2 cooks; 1 horse-shoer; 1 band leader; 1 assistant band leader; 1 sergeant bugler; 2 band sergeants; 4 band corporals; 2 musicians, first class; 4 musicians, second class; 13 musicians, third class; 4 privates, first class, mounted; and 12 privates, mounted.

"Each Infantry machine-gun company shall consist of 1 captain, mounted; 1 first lieutenant, mounted; 2 second lieutenants, mounted; 1 first sergeant, mounted; 1 mess sergeant; 1 supply sergeant, mounted; 1 stable sergeant, mounted; 1 horseshoer; 5 sergeants; 6 corporals; 2 cooks, 2 buglers; 1 mechanic; 8 privates, first class; and 24 privates.

"Each Infantry supply company shall consist of 1 captain, mounted; 1 second lieutenant, mounted; 3 regimental supply sergeants, mounted; 1 first sergeant, mounted; 1 mess sergeant; 1 stable sergeant; 1 corporal, mounted; 1 cook; 1 saddler; 1 horseshoer; and 1 wagoner for each authorized wagon of the field and combat train: *Provided*, That the President may in his discretion increase a company of Infantry by 2 sergeants, 6 corporals, 1 cook, 1 mechanic, 9 privates (first class), and 31 privates; an Infantry machine-gun company by 2 sergeants, 2 corporals, 1 mechanic, 4 privates (first class), and 12 privates.

"The commissioned officers required for the Infantry headquarters, supply, and machine-gun companies and for the companies organized into battalions shall be assigned from those hereinbefore authorized.

"Sec. 18. Composition of Cavalry units: Each regiment of Cavalry shall consist of 1 colonel, 1 lieutenant colonel, 3 majors, 15 captains, 16 first lieutenants, 16 second lieutenants, 1 headquarters troop, 1 machine-gun troop, 1 supply troop, and 12 troops organized into three squadrons of 4 troops each.

"Each squadron shall consist of 1 major, 1 first lieutenant (squadron adjutant), and 4 troops. Each troop in squadron shall consist of 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 mess sergeant, 1 supply sergeant, 1 stable sergeant, 5 sergeants, 8 corporals, 2 cooks, 2 horseshoers, 1 saddler, 2 buglers, 10 privates (first class), and 36 privates.

"Each headquarters troop shall consist of 1 captain (regimental adjutant), 1 regimental sergeant major, 3 squadron sergeants major, 1 first sergeant (drum major), 2 color sergeants, 1 mess sergeant, 1 supply sergeant, 1 stable sergeant, 1 sergeant, 2 cooks, 1 horseshoer, 1 saddler, 2 privates (first class), and 9 privates, 1 band leader, 1 assistant band leader, 1 sergeant bugler, 2 band sergeants, 4 band corporals, 2 musicians (first class), 4 musicians (second class), and 13 musicians (third class).

"Each machine-gun troop shall consist of 1 captain, 1 first lieutenant, 2 second lieutenants, 1 first sergeant, 1 mess sergeant, 1 supply sergeant, 1 stable sergeant, 2 horseshoers, 5 sergeants, 6 corporals, 2 cooks, 1 mechanic, 1 saddler, 2 buglers, 12 privates (first class), and 35 privates.

"Each supply troop shall consist of 1 captain (regimental supply officer), 2 second lieutenants, 3 regimental supply sergeants, 1 first sergeant, 1 mess sergeant, 1 stable sergeant, 1 corporal, 1 cook, 1 horseshoer, 1 saddler, and 1 wagoner for each authorized wagon of the field and combat train: *Provided*, That the President may, in his discretion, increase each troop of Cavalry by 10 privates (first class) and 25 privates; the headquarters troop by 2 sergeants, 5 corporals, 1 horseshoer, 5 privates (first class), and 18 privates; each machine-gun troop by 3 sergeants, 2 corporals, 1 mechanic, 1 private (first class), and 14 privates; each supply troop by 1 corporal, 1 cook, 1 saddler, and 1 horseshoer.

"The commissioned officers required for the Cavalry headquarters, supply, and machine-gun troops, and for the troops organized into squadrons, shall be assigned from those hereinbefore authorized.

"Sec. 19. Composition of Field Artillery units: The Field Artillery, including mountain artillery, light artillery, horse artillery, heavy artillery (field and siege types), shall consist of 126 guns or howitzer batteries organized into 21 regiments.

"In time of actual or threatened hostilities the President is authorized to organize such number of ammunition batteries and battalions, depot batteries and battalions, and such artillery parks with such numbers and grades of personnel and such organizations as he may deem necessary. The officers necessary for such organization shall be supplied from the officers' reserve corps provided by this act and by temporary appointment as authorized by section 8 of the act of Congress approved April

25, 1914. The enlisted men necessary for such organizations shall be supplied from the Regular Army Reserve provided by this act or from the Regular Army.

"Each regiment of Field Artillery shall consist of 1 colonel, 1 lieutenant colonel, 1 captain, 1 headquarters company, 1 supply company, and such number of gun and howitzer battalions as the President may direct. Nothing shall prevent the assembling, in the same regiment, of gun and howitzer battalions of different calibers and classes.

"Each gun or howitzer battery shall consist of 1 captain, 2 first lieutenants, 2 second lieutenants, 1 first sergeant, 1 supply sergeant, 1 stable sergeant, 1 mess sergeant, 6 sergeants, 13 corporals, 1 chief mechanic, 1 saddler, 2 horseshoers, 1 mechanic, 2 buglers, 3 cooks, 22 privates (first class), and 71 privates. When no enlisted men of the Quartermaster Corps are attached for such positions there shall be added to each battery of mountain artillery 1 packmaster (sergeant, first class), 1 assistant packmaster (sergeant), and 1 cargador (corporal).

"Each headquarters company of a regiment of two battalions shall consist of 1 captain, 1 first lieutenant, 1 regimental sergeant major, 2 battalion sergeants major, 1 first sergeant, 2 color sergeants, 1 mess sergeant, 1 supply sergeant, 1 stable sergeant, 2 sergeants, 9 corporals, 1 horseshoer, 1 saddler, 1 mechanic, 3 buglers, 2 cooks, 5 privates (first class), 15 privates, 1 band leader, 1 assistant band leader, 1 sergeant bugler, 2 band sergeants, 4 band corporals, 2 musicians (first class), 4 musicians (second class), and 13 musicians (third class). That when a regiment consists of three battalions there shall be added to the headquarters company 1 battalion sergeant major, 1 sergeant, 3 corporals, 1 bugler, 1 private (first class), and 5 privates. When no enlisted men of the Quartermaster Corps is attached for such positions, there shall be added to each mountain artillery headquarters company 1 packmaster (sergeant, first class), 1 assistant packmaster (sergeant), and 1 cargador (corporal).

"Each supply company of a regiment of two battalions shall consist of 1 captain, 1 first lieutenant, 2 regimental supply sergeants, 1 first sergeant, 1 mess sergeant, 1 corporal, 1 cook, 1 horseshoer, 1 saddler, 2 privates, and 1 wagoner for each authorized wagon of the field train. When a regiment consists of three battalions there shall be added to the supply company 1 second lieutenant, 1 regimental supply sergeant, 1 private, and 1 wagoner for each additional authorized wagon of the field train.

"Each gun or howitzer battalion shall consist of 1 major, 1 captain, and batteries as follows: Mountain artillery battalions and light artillery gun or howitzer battalions serving with the field artillery of Infantry divisions shall contain three batteries; horse artillery battalions and heavy field artillery gun or howitzer battalions shall contain two batteries: *Provided*, That the President may, in his discretion, increase the headquarters company of a regiment of two battalions by 2 sergeants, 5 corporals, 1 horseshoer, 1 mechanic, 1 private (first class), and 6 privates; the headquarters company of a regiment of three battalions by 1 sergeant, 7 corporals, 1 horseshoer, 1 mechanic, 2 cooks, 2 privates (first class), and 7 privates; the supply company of a regiment of two battalions by 1 corporal, 1 cook, 1 horseshoer, and 1 saddler; the supply company for a regiment of three battalions by 1 corporal, 1 cook, 1 horseshoer, and 1 saddler; a gun or howitzer battery by 3 sergeants, 7 corporals, 1 horseshoer, 2 mechanics, 1 bugler, 13 privates (first class), and 37 privates.

"Sec. 20. Coast Artillery Corps: The Coast Artillery Corps shall consist of one Chief of Coast Artillery, with the rank of brigadier general; 24 colonels; 24 lieutenant colonels; 72 majors; 360 captains; 360 first lieutenants; 360 second lieutenants; 31 sergeants major, senior grade; 64 sergeants major, junior grade; 41 master electricians; 72 engineers; 90 electrician sergeants, first class; 275 assistant engineers; 90 electrician sergeants, second class; 106 firemen; 93 radio sergeants; 62 master gunners; 263 first sergeants; 263 supply sergeants; 263 mess sergeants; 2,104 sergeants; 3,156 corporals; 526 cooks; 526 mechanics; 526 buglers; 5,225 privates, first class; 15,675 privates; and 18 bands, organized as hereinbefore provided for the Engineer band. The rated men of the Coast Artillery Corps shall consist of casemate electricians; observers, first class; plotters; chief planters; coxswains; chief loaders; observers, second class; gun commanders and gun pointers. The total number of rated men shall not exceed 1,784. Coxswains shall receive \$9 per month in addition to the pay of their grade.

"Sec. 21. Porto Rico Regiment of Infantry: The Porto Rico Regiment of Infantry of the United States Army shall hereafter have the same organization, and the same grades and numbers of commissioned officers and enlisted men, as are by this act or shall hereafter be prescribed by law for other regiments of

Infantry of the Army. All vacancies created by this act or occurring hereafter in commissioned offices of said regiment above the grade of second lieutenant and below the grade of colonel shall, except as hereinafter provided to the contrary, be filled by promotion according to seniority in the several grades and within the regiment, subject to the examination prescribed by section 3 of the act of Congress approved October 1, 1890, and said section is hereby extended so as to apply in the cases of all officers below the grade of lieutenant colonel, who shall hereafter be examined for promotion in the Porto Rico Regiment of Infantry, except that the President may prescribe such a system of examination for the promotion of officers of said regiment as he may deem advisable.

"The colonel of said regiment shall be detailed by the President from among officers of Infantry of the Army not below the grade of lieutenant colonel for a period of four years, unless sooner relieved. Vacancies created by this act in the grades of lieutenant colonel and major in said regiment shall be filled by appointments from the senior captains in regimental rank of the Porto Rico regiment mentioned in the act of March 4, 1915; and captains and lieutenants of said regiment shall also be eligible for such detached service, transfer, or assignment to duty with other organizations as may be approved by the Secretary of War; but vacancies created by such detachment of officers shall not be filled by promotions or appointments.

"All men hereafter enlisting in said regiment shall be natives of Porto Rico. All enlistments in the regiment shall hereafter be the same as is provided herein for the Regular Army, and the regiment, or any part thereof, may be ordered for service outside the island of Porto Rico. The pay and allowances of members of said regiment shall be the same as provided by law for officers and enlisted men of like grades in the Regular Army.

"Vacancies created by this act or occurring hereafter in the grade of second lieutenant in said regiment shall be filled during any calendar year by the appointment by the President, by and with the advice and consent of the Senate, of any native of Porto Rico graduated from the United States Military Academy, and, after such appointment shall have been made or provided for, by like appointment of native citizens of Porto Rico between 21 and 27 years of age.

"*Provided*, That officers of the Porto Rico Regiment of Infantry, United States Army, who held commissions in the Porto Rico Provisional Regiment of Infantry on June 30, 1908, shall now and hereafter take rank in their grades in the same relative order held by them in said Porto Rico Provisional Regiment of Infantry on June 30, 1908, subject to any loss in rank due to failure to pass examinations for promotion or to sentence of court-martial.

"Sec. 22. All existing laws pertaining to or affecting the United States Military Academy and civilian or military personnel on duty thereat in any capacity whatever, the officers and enlisted men on the retired list, the detached and additional officers under the act of Congress approved March 3, 1911, recruiting parties, recruit depots and unassigned recruits, service-school detachments, United States disciplinary barracks guards, disciplinary organizations, the Philippine Scouts, and Indian scouts shall continue and remain in force except as herein specifically provided otherwise.

"Sec. 23. Original appointments to be provisional: Hereafter all appointments of persons other than graduates of the United States Military Academy to the grade of second lieutenant in the Regular Army shall be provisional for a period of two years, at the close of which period such appointments shall be made permanent if the appointees shall have demonstrated, under such regulations as the President may prescribe, their suitability and moral, professional, and physical fitness for such permanent appointment; but should any appointee fail so to demonstrate his suitability and fitness, his appointment shall terminate; and should any officer become eligible for promotion to a vacancy in a higher grade and qualify therefor before the expiration of two years from the date of his original appointment, he shall receive a provisional appointment in such higher grade, which appointment shall be made permanent when he shall have qualified for permanent appointment upon the expiration of two years from the date of his original appointment, or shall terminate if he shall fail so to qualify.

"Sec. 24. Increase to be made in five increments: Except as otherwise specifically provided by this act, the increases in the commissioned and enlisted personnel of the Regular Army provided by this act shall be made in five annual increments, each of which shall be, in each grade of each arm, corps, and department, as nearly as practicable, one-fifth of the total increase authorized for each arm, corps, and department. Officers promoted to vacancies created or caused by the addition of the first increment shall be promoted to rank from July 1, 1916,

and those promoted to vacancies created or caused by the second increment shall be promoted to rank from July 1, 1917; those promoted to vacancies created or caused by the addition of the third increment shall be promoted to rank from July 1, 1918; those promoted to vacancies created or caused by the addition of the fourth increment shall be promoted to rank from July 1, 1919; and those promoted to vacancies created or caused by the addition of the fifth increment shall be promoted to rank from July 1, 1920: *Provided*, That in the event of actual or threatened war or similar emergency in which the public safety demands it, the President is authorized to immediately organize the entire increase authorized by this act, or so much thereof as he may deem necessary; and when, in the judgment of the President, war becomes imminent, all of said organizations that shall then be below the maximum enlisted strength authorized by law shall be raised forthwith to that strength, and shall be maintained as nearly as possible thereat so long as war, or the imminence of war, shall continue.

"Vacancies in the grade of second lieutenant, created or caused by the increases due to this act, in any fiscal year shall be filled by appointment in the following order: (1) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they were graduated; (2) under the provisions of existing law, of enlisted men, including officers of the Philippine Scouts, whose fitness for promotion shall have been determined by competitive examination; (3) of members of the Officers' Reserve Corps between the ages of 21 and 27 years; (4) of commissioned officers of the National Guard between the ages of 21 and 27 years; (5) of such honor graduates, between the ages of 21 and 27 years, of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (6) of candidates from civil life between the ages of 21 and 27 years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect: *Provided*, That any such original vacancies not so filled, and remaining at the time of graduation of any class at the United States Military Academy, may be filled by the appointment of members of that class; and all vacancies in the grade of second lieutenant not created or caused by the increases due to this act shall be filled as provided in the act making appropriation for the support of the Army, approved March 3, 1911: *Provided further*, That enlisted men of the Regular Army who have completed one year's service with an organization may become candidates for vacancies in the grade of second lieutenant created or caused by the increases due to the operation of this act: *Provided further*, That appointments to the grade of second lieutenant in the Corps of Engineers, including those created by this act, shall continue to be made as now provided by law, but that officers of the Army or Navy of the United States may become candidates for said appointments under the provisions of section 5 of the act of Congress approved February 27, 1911, without previously vacating their commissions as officers and that the Secretary of War may, in his discretion, allow persons to become candidates without previously establishing eligibility for appointment as junior engineer under the Engineer Bureau of the War Department: *Provided further*, That officers appointed to original vacancies in the grade of second lieutenant created or caused by this act shall take lineal and relative rank according to dates of appointment, and the lineal and relative rank of second lieutenants appointed on the same date shall be determined under such regulations as the Secretary of War may prescribe: *Provided further*, That the President may recommission persons who have heretofore held commissions in the Regular Army and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness; such recommissioned officers shall take rank at the foot of the respective grades which they held at the time of their separation from the Army: *Provided further*, That the provisions of existing law requiring examinations to determine fitness for promotion of officers of the Army are hereby extended to include promotions to all grades below that of brigadier general: *Provided further*, That examinations of officers in the grades of major and lieutenant colonel shall be confined to problems involving the higher functions of staff duties and command: *Provided further*, That in time of war retired officers of the Army may be employed on active duty, in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grade: *And provided further*, That hereafter any retired officer, who has been or shall be detailed on active duty, shall receive the rank, pay, and allowances of the grade, not above that of major, that he would have attained in due course of promotion if he had remained on the

active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement.

"Sec. 25. The detached officers: On July 1, 1916, the line of the Army shall be increased by 822 extra officers of the Cavalry, Field Artillery, Coast Artillery Corps, and Infantry arms of the service, of grades from first lieutenant to colonel, inclusive, lawfully available for detachment from their proper arms, for duty with the National Guard, or other duty, the usual period of which exceeds one year. Said extra officers, together with the 200 detached officers provided for by the act of Congress approved March 3, 1911, shall, on and after July 1, 1916, constitute the detached officers' list, and all positions vacated by officers assigned to said list, and the officers so assigned, shall be subject to the provisions of section 27 of the act of Congress approved February 2, 1901, with reference to details to the staff corps. The total number of officers hereby authorized for each grade on said list entire shall be in proportion to the total number of officers of the corresponding grade now authorized by law other than this act for all of the said four arms combined, exclusive of second lieutenants and of the 200 extra officers authorized by the act of Congress approved March 3, 1911, and exclusive also of the additional officers authorized by the act to restore lineal rank lost through the system of regimental promotion formerly in force; and the total number of officers hereby authorized for each grade in each of said arms on said list shall be in the proportion borne by the number of officers now authorized by law other than this act for such grade and arm to the total number of officers now authorized by law other than this act for the corresponding grade in all of the said four arms combined, exclusive of the extra and additional officers last hereinbefore specified and excluded: *Provided*, That all vacancies created or caused by the foregoing provisions of this section in grades above that of second lieutenant shall be filled by promotion according to law existing on and before the date of approval of this act, and subject to the examinations prescribed by existing law. As soon as practicable after such promotions shall have been made, there shall be detached from each arm and assigned to the detached officers' list a number of officers of each grade equal to the number of officers of said grade by which said arm shall have been increased by the foregoing provisions of this section; and thereafter any vacancy created or caused in any of the said arms of the service by the assignment of an officer of any grade to said detached officers' list shall be filled, subject to such examination as is now or may hereafter be prescribed by law, by the promotion of the officer who shall be the senior in length of commissioned service of those eligible to promotion in the next lower grade in the arm in which such vacancy shall occur: *Provided further*, That no officer of any of said arms of the service shall be permitted to remain on said detached officers' list for more than 45 days unless he shall have been actually present for duty for at least two years out of the last preceding six years with an organization composed of one or more statutory units, or the equivalent thereof, of the arm to which he shall belong. Any vacancy created in said list by the removal of any officer therefrom because he shall not have been present for duty as before prescribed in this proviso shall be filled by the transfer to said list of an officer having the same grade and belonging to the same arm as the officer whose removal from said list shall have created said vacancy; but, except as before prescribed in this proviso, all officers who shall have been assigned to said list shall remain thereon for not less than four years from the respective dates of their assignment thereto, unless in the meantime they shall have been separated entirely from the Army, or shall have been promoted or appointed to higher offices, or shall have been retired from active service: *Provided further*, That after the apportionment of officers to said detached officers' list shall have been made as authorized by this act, whenever any vacancy shall have been caused in said list by the separation of an officer of any grade therefrom, such vacancy shall, except as prescribed in the last preceding proviso, be filled by the detail and assignment to said list of an officer of the corresponding grade in that arm in which there shall be found the officer of the next lower grade who at that time shall be the senior in length of commissioned service of all the officers of the said lower grade in all of the four arms hereinbefore specified; if two or more officers of different arms shall be found to have equal seniority in length of commissioned service in said lower grade, the question of seniority shall be decided by their relative standing on the list of the commissioned officers of the Army: *Provided further*, That, with a view further to equalize inequalities in past promotions of officers of the line of the Army, on July 1, 1916, the Cavalry shall be increased by 17

colonels, and the Infantry by 4 colonels, all of whom shall be additional officers in that grade, and shall not bar nor retard the promotion to which any officer would be entitled if the appointment of the said additional officers had never been authorized; and after July 1, 1919, no vacancies occurring among the said additional officers shall be filled and the offices so vacated shall cease and determine: *And provided further*, That for the purpose of lessening as much as possible inequalities of promotion due to the increase in the number of officers of the line of the Army under the provisions of this act, any vacancies created or caused by this act in commissioned grades below that of lieutenant colonel in any arm of said line may, in the discretion of the President and under such regulations as he may prescribe in furtherance of the purpose stated in this proviso, be filled by the promotion or transfer without promotion of officers of other branches of the line of the Army; but no such promotion or transfer shall be made in the case of any officer unless it shall have been recommended by an examining board composed of five officers, senior in rank to such officer, and of the arm to which the promotion or transfer of such officer shall have been proposed, who, after having made a personal examination of such officer and of his official record, shall have reported him qualified for service in said arm in the grade to which his promotion or transfer shall have been proposed.

"SEC. 26. Retirement of officers of Philippine Scouts: Captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be entitled to retirement under the laws governing the retirement of enlisted men of the Regular Army, except that they shall be retired in the grade held by them at the date of retirement, shall be entitled to retirement for disability under the same conditions as officers of the Regular Army, and that they shall receive, as retired pay, the amounts allowed by law as retired pay and allowances of master signal electricians of the United States Army, and no more: *Provided*, That double time for service beyond the continental limits of the United States shall not be counted for the purposes of this section so as to reduce the actual period of service below 20 years: *Provided further*, That former officers of the Philippine Scouts who, because of disability occasioned by wounds received in action, have resigned or been discharged from the service, or who have heretofore served as such for a period of more than five years and have been retired as enlisted men, shall be placed upon the retired list as officers of Philippine Scouts and thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further*, That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in the line of duty and who was subsequently retired as an enlisted man, except any former officer of Philippine Scouts who has been retired as an enlisted man by special act of Congress, shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section, and no more. Officers of Philippine Scouts retired under the provisions of this section shall not form part of the limited retired list now authorized by law.

"SEC. 27. Enlistments in the Regular Army: On and after the 1st day of November, 1916, all enlistments in the Regular Army shall be for a term of seven years, the first three years to be in the active service with the organizations of which those enlisted form a part and, except as otherwise provided herein, the last four years in the Regular Army Reserve hereinafter provided for: *Provided*, That at the expiration of three years' continuous service with such organizations, either under a first or any subsequent enlistment, any soldier may be reenlisted for another period of seven years, as above provided for, in which event he shall receive his final discharge from his prior enlistment: *Provided further*, That after the expiration of one year's honorable service any enlisted man serving within the continental limits of the United States whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserve under such regulations as the Secretary of War may prescribe, but no man furloughed to the reserve shall be eligible to reenlist in the service until the expiration of his term of seven years: *Provided further*, That in all enlistments hereafter accomplished under the provisions of this act three years shall be counted as an enlistment period in computing continuous-service pay: *Provided further*, That any noncommissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge if he reenlists within 20 days after the date of such discharge: *Provided further*, That no person under the

age of 18 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody and control: *And provided further*, That the President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Army, and for each recruit accepted for enlistment in the Army the postmaster procuring his enlistment shall receive the sum of \$5.

"In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers.

"SEC. 28. Pay of certain enlisted men: Hereafter the monthly pay of enlisted men of certain grades of the Army created in this act shall be as follows, namely: Quartermaster sergeant, senior grade, Quartermaster Corps; master hospital sergeant, Medical Department; master engineers, senior grade, Corps of Engineers; and band leader, Infantry, Cavalry, Artillery, and Corps of Engineers, \$75; hospital sergeant, Medical Department; and master engineer, junior grade, Corps of Engineers, \$65; sergeant, first class, Medical Department, \$50; sergeant, first class, Corps of Engineers; regimental supply sergeant, Infantry, Cavalry, Field Artillery, and Corps of Engineers; battalion supply sergeant, Corps of Engineers; and assistant engineer, Coast Artillery Corps, \$45; assistant band leader, Infantry, Cavalry, Artillery, and Corps of Engineers; and sergeant bugler, Infantry, Cavalry, Artillery, and Corps of Engineers, \$40; musician, first class, Infantry, Cavalry, Artillery, and Corps of Engineers; supply sergeant, mess sergeant, and stable sergeant, Corps of Engineers; sergeant Medical Department, \$36; supply sergeant, Infantry, Cavalry, and Artillery; mess sergeant, Infantry, Cavalry, and Artillery; cook, Medical Department; horseshoer, Infantry, Cavalry, Artillery, and Corps of Engineers, Signal Corps, and Medical Department; stable sergeant, Infantry and Cavalry; radio sergeant, Coast Artillery Corps; and musicians, second class, Infantry, Cavalry, Artillery, and Corps of Engineers, \$30; musician, third class, Infantry, Cavalry, Artillery, and Corps of Engineers; corporal, Medical Department, \$24; saddler, Infantry, Cavalry, Field Artillery, Corps of Engineers, and Medical Department; mechanic, Infantry, Cavalry, and Field Artillery, and Medical Department; farrier, Medical Department; and wagoner, Infantry, Field Artillery, and Corps of Engineers, \$21; private, first class, Infantry, Cavalry, Artillery, and Medical Department, \$18; private, Medical Department, and bugler, \$15. Nothing herein contained shall operate to reduce the pay or allowances now authorized by law for any grade of enlisted men of the Army.

"SEC. 29. Final discharge of enlisted men: No enlisted man in the Regular Army shall receive his final discharge until the termination of his seven-year term of enlistment except upon reenlistment as provided for in this act or as provided by law for discharge prior to expiration of term of enlistment, but when an enlisted man is furloughed to the Regular Army Reserve his account shall be closed and he shall be paid in full to the date such furlough becomes effective, including allowances provided by law for discharged soldiers: *Provided*, That when by reason of death or disability of a member of the family of an enlisted man occurring after his enlistment members of his family become dependent upon him for support, he may, in the discretion of the Secretary of War, be discharged from the service of the United States or be furloughed to the Regular Army Reserve, upon due proof being made of such condition: *Provided further*, That when an enlisted man is discharged by purchase while in active service he shall be furloughed to the Regular Army Reserve, unless, in the discretion of the Secretary of War, he is given a final discharge from the Army.

"SEC. 30. Composition of the Regular Army Reserve: The Regular Army Reserve shall consist of, first, all enlisted men now in the Army Reserve or who shall hereafter become members of the Army Reserve under the provisions of existing law; second, all enlisted men furloughed to or enlisted in the Regular Army Reserve under the provisions of this act; and, third, any person holding an honorable discharge from the Regular Army

with character reported at least good who is physically qualified for the duties of a soldier and not over 45 years of age who enlists in the Regular Army Reserve for a period of four years.

"Sec. 31. The President is authorized to assign members of the Regular Army Reserve as reserves to particular organizations of the Regular Army, or to organize the Regular Army Reserve, or any part thereof, into units or detachments of any arm, corps, or department in such manner as he may prescribe, and to assign to such units and detachments officers of the Regular Army or of the Officers' Reserve Corps herein provided for; and he may summon the Regular Army Reserve, or any part thereof, for field training for a period not exceeding 15 days in each year, the reservists to receive travel expenses and pay at the rate of their respective grades in the Regular Army during such periods of training; and in the event of actual or threatened hostilities he may mobilize the Regular Army Reserve in such manner as he may determine, and thereafter retain it, or any part thereof, in active service for such period as he may determine the conditions demand: *Provided*, That all enlistments in the Regular Army, including those in the Regular Army Reserve, which are in force on the date of the outbreak of war shall continue in force for one year, unless sooner terminated by order of the Secretary of War, but nothing herein shall be construed to shorten the time of enlistment prescribed: *Provided further*, That, subject to such regulations as the President may prescribe for their proper identification and location and physical condition, the members of the Regular Army Reserve shall be paid semiannually at the rate of \$24 a year while in the reserve.

"Sec. 32. Regular Army Reserve in time of war: When mobilized by order of the President, the members of the Regular Army Reserve shall, so long as they may remain in active service, receive the pay and allowances of enlisted men of the Regular Army of like grades: *Provided*, That any enlisted man who shall have reenlisted in the Regular Army Reserve shall receive during such active service the additional pay now provided by law for enlisted men in his arm of the service in the second enlistment period: *Provided further*, That upon reporting for duty, and being found physically fit for service, members of the Regular Army Reserve shall receive a sum equal to \$3 per month for each month during which they shall have belonged to the reserve, as well as the actual necessary cost of transportation and subsistence from their homes to the places at which they may be ordered to report for duty under such summons: *And provided further*, That service in the Regular Army Reserve shall confer no right to retirement or retired pay, and members of the Regular Army Reserve shall become entitled to pension only through disability incurred while on active duty in the service of the United States.

"Sec. 33. Use of other departments of the Government: The President may, subject to such rules and regulations as in his judgment may be necessary, utilize the services of members and employees of all departments of the Government of the United States, without expense to the individual reservist, for keeping in touch with, paying, and mobilizing the Regular Army Reserve, the Enlisted Reserve Corps, and other reserve organizations.

"Sec. 34. Reenlistment in time of war: For the purpose of utilizing as an auxiliary to the Regular Army Reserve the services of men who have had experience and training in the Regular Army or in the United States Volunteers outside of the continental limits of the United States, in time of actual or threatened hostilities, and after the President shall, by proclamation, have called upon honorably discharged soldiers of the Regular Army to present themselves for reenlistment therein within a specified period, subject to such conditions as may be prescribed, any person who shall have been discharged honorably from said Army, with character reported as at least good, and who, having been found physically qualified for the duties of a soldier, if not over 50 years of age, shall reenlist in the line of said Army, or in the Signal, Quartermaster, or Medical Department thereof, within the period that shall be specified in said proclamation, shall receive on so reenlisting a bounty which shall be computed at the rate of \$8 for each month for the first year of the period that shall have elapsed since his last discharge from the Regular Army and the date of his reenlistment therein under the terms of said proclamation; at the rate of \$6 per month for the second year of such period; at the rate of \$4 per month for the third year of such period; and at the rate of \$2 per month for any subsequent year of such period; but no bounty in excess of \$300 shall be paid to any person under the terms of this section.

"Sec. 35. Enlisted men prohibited from civil employment: Hereafter no enlisted man in the active service of the United States in the Army, Navy, and Marine Corps, respectively,

whether a noncommissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life, for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions.

"Sec. 36. Sergeants for duty with the National Guard: For the purpose of assisting in the instruction of the personnel and care of property in the hands of the National Guard the Secretary of War is authorized to detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army not to exceed 1,000 sergeants for duty with corresponding organizations of the National Guard and not to exceed 100 sergeants for duty with the disciplinary organizations at the United States Disciplinary Barracks, who shall be additional to the sergeants authorized by this act for the corps, companies, troops, batteries, and detachments from which they may be detailed.

"Sec. 37. The officers' reserve corps: For the purpose of securing a reserve of officers available for service as temporary officers in the Regular Army, as provided for in this act and in section 8 of the act approved April 25, 1914, as officers of the Quartermaster Corps and other staff corps and departments, as officers for recruit rendezvous and depots, and as officers of volunteers, there shall be organized, under such rules and regulations as the President may prescribe not inconsistent with the provisions of this act, an officers' reserve corps of the Regular Army. Said corps shall consist of sections corresponding to the various arms, staff corps, and departments of the Regular Army. Except as otherwise herein provided, a member of the officers' reserve corps shall not be subject to call for service in time of peace, and whenever called upon for service shall not, without his consent, be so called in a lower grade than that held by him in said reserve corps.

"The President alone shall be authorized to appoint and commission as reserve officers in the various sections of the officers' reserve corps, in all grades up to and including that of major, such citizens as, upon examination prescribed by the President, shall be found physically, mentally, and morally qualified to hold such commissions: *Provided*, That the proportion of officers in any section of the officers' reserve corps shall not exceed the proportion for the same grade in the corresponding arm, corps, or department of the Regular Army, except that the number commissioned in the lowest authorized grade in any section of the officers' reserve corps shall not be limited.

"All persons now carried as duly qualified and registered pursuant to section 23 of the act of Congress approved January 21, 1903, shall, for a period of three years after the passage of this act, be eligible for appointment in the officers' reserve corps in the section corresponding to the arm, corps, or department for which they have been found qualified, without further examination, except a physical examination, and subject to the limitations as to age and rank herein prescribed: *Provided*, That any person carried as qualified and registered in the grade of colonel or lieutenant colonel pursuant to the provisions of said act on the date when this act becomes effective may be commissioned and recommissioned in the officers' reserve corps with the rank for which he has been found qualified and registered, but when such person thereafter shall become separated from the officers' reserve corps for any reason the vacancy so caused shall not be filled, and such office shall cease and determine.

"No person shall, except as hereinafter provided, be appointed or reappointed a second lieutenant in the Officers' Reserve Corps after he shall have reached the age of 32 years, a first lieutenant after he shall have reached the age of 36 years, a captain after he shall have reached the age of 40 years, or a major after he shall have reached the age of 45 years. When an officer of the Reserve Corps shall reach the age limit fixed for appointment or reappointment in the grade in which commissioned he shall be honorably discharged from the service of the United States, and be entitled to retain his official title and, on occasions of ceremony, to wear the uniform of the highest grade he shall have held in the Officers' Reserve Corps: *Provided*, That nothing in the foregoing provisions as to the ages of officers shall apply to the appointment or reappointment of officers of the Quartermaster, Engineer, Ordnance, Signal, Judge Advocate, and Medical sections of said Reserve Corps.

"One year after the passage of this act the Medical Reserve Corps, as now constituted by law, shall cease to exist. Members thereof may be commissioned in the Officers' Reserve Corps, subject to the provisions of this act, or may be honorably discharged from the service. The Secretary of War may, in time of peace, order first lieutenants of the medical section of the Officers' Reserve Corps, with their consent, to active duty in

the service of the United States in such numbers as the public interests may require and the funds appropriated may permit, and may relieve them from such duty when their services are no longer necessary. While on such duty they shall receive the pay and allowances, including pay for periods of sickness and leaves of absence, of officers of corresponding rank and length of active service in the Regular Army.

"The commissions of all officers of the Officers' Reserve Corps shall be in force for a period of five years unless sooner terminated in the discretion of the President. Such officers may be recommissioned, either in the same or higher grades, for successive periods of five years, subject to such examinations and qualifications as the President may prescribe and to the age limits prescribed herein: *Provided*, That officers of the Officers' Reserve Corps shall have rank therein in the various sections of said Reserve Corps according to grades and to length of service in their grades.

"SEC. 38. The Officers' Reserve Corps in war: In time of actual or threatened hostilities the President may order officers of the Officers' Reserve Corps, subject to such subsequent physical examinations as he may prescribe, to temporary duty with the Regular Army in grades thereof which can not, for the time being, be filled by promotion, or as officers in volunteer or other organizations that may be authorized by law, or as officers at recruit rendezvous and depots, or on such other duty as the President may prescribe. While such reserve officers are on such service they shall, by virtue of their commissions as reserve officers, exercise command appropriate to their grade and rank in the organizations to which they may be assigned, and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of active service, as allowed by law for officers of the Regular Army, from the date upon which they shall be required by the terms of their orders to obey the same: *Provided*, That officers so ordered to active service shall take temporary rank among themselves, and in their grades in the organizations to which assigned, according to the dates of orders placing them on active service; and they may be promoted, in accordance with such rank, to vacancies in volunteer organizations or to temporary vacancies in the Regular Army thereafter occurring in the organizations in which they shall be serving: *Provided further*, That officers of the Officers' Reserve Corps shall not be entitled to retirement or retired pay, and shall be entitled to pension only for disability incurred in the line of duty and while in active service.

"Any officer who, while holding a commission in the Officers' Reserve Corps, shall be ordered to active service by the Secretary of War shall, from the time he shall be required by the terms of his order to obey the same, be subject to the laws and regulations for the government of the Army of the United States, in so far as they are applicable to officers whose permanent retention in the military service is not contemplated.

"SEC. 39. Instruction of officers of the Officers' Reserve Corps: To the extent provided for from time to time by appropriations for this specific purpose, the Secretary of War is authorized to order reserve officers to duty with troops or at field exercises, or for instruction, for periods not to exceed 15 days in any one calendar year, and while so serving such officers shall receive the pay and allowances of their respective grades in the Regular Army: *Provided*, That, with the consent of the reserve officers concerned, and within the limit of funds available for the purpose, such periods of duty may be extended for reserve officers as the Secretary of War may direct: *Provided further*, That in time of actual or threatened hostilities, after all available officers of any section of the Officers' Reserve Corps corresponding to any arm, corps, or department of the Regular Army shall have been ordered into active service, officers of Volunteers may be appointed in such arm, corps, or department as may be authorized by law: *Provided further*, That nothing herein shall operate to prevent the appointment of any officer of the Regular Army as an officer of Volunteers before all the officers of the Officers' Reserve Corps or any section thereof shall have been ordered into active service: *And provided further*, That in determining the relative rank and the right to retirement of an officer of the Regular Army, active duty performed by him while serving in the Officers' Reserve Corps shall not be reckoned.

"SEC. 40. The Reserve Officers' Training Corps: The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including State universities and those State institutions that are required to provide instruction in military tactics under the

provisions of the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions, except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division, and each division shall consist of units of the several arms or corps in such number and of such strength as the President may prescribe.

"SEC. 41. The President may, upon the application of any State institution described in section 40 of this act, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students.

"SEC. 42. The President may, upon the application of any established educational institution in the United States other than a State institution described in section 40 of this act, the authorities of which agree to establish and maintain a two-years' elective or compulsory course of military training as a minimum for its physically fit male students, which course when entered upon by any student shall, as regards such student, be a prerequisite for graduation, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students.

"SEC. 43. The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of the senior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the senior division or to devote at least an average of three hours per week per academic year to such military training; and no unit of the junior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the junior division, or to devote at least an average of three hours per week per academic year to such military training.

"SEC. 44. Eligibility to membership in the Reserve Officers' Training Corps shall be limited to students of institutions in which units of such corps may be established who are citizens of the United States, who are not less than 14 years of age, and whose bodily condition indicates that they are physically fit to perform military duty, or will be so upon arrival at military age.

"SEC. 45. The President is hereby authorized to detail such numbers of officers of the Army, either active or retired, not above the grade of colonel, as may be necessary, for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed 300, and no active officer shall be so detailed who has not had five years' commissioned service in the Army. In time of peace retired officers shall not be detailed under the provisions of this section without their consent. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under a like detail. No detail of officers on the active list of the Regular Army under the provisions of this section shall extend for more than four years.

"SEC. 46. The President is hereby authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired or of the Regular Army reserve, as he may deem necessary, but the number of active noncommissioned officers so detailed shall not exceed 500, and all active noncommissioned officers so detailed shall be additional in their respective grades to those otherwise authorized for the Army. Retired enlisted men or members of the Regular Army reserve

shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances.

"SEC. 47. The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, arms, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, and for its return when required.

"SEC. 48. The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a period longer than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit; to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit; to use the Regular Army, such other military forces as Congress from time to time authorizes, and such Government property as he may deem necessary for the military training of the members of such corps while in attendance at such camps; to prescribe regulations for the government of such corps; and to authorize, in his discretion, the formation of company units thereof into battalion and regimental units.

"SEC. 49. The President alone, under such regulations as he may prescribe, is hereby authorized to appoint in the Officers' Reserve Corps any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section 50 of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 50 of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 21 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army during a period of at least 10 years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority; but the total number of reserve officers so appointed shall not exceed 50,000: *Provided*, That any graduate qualified under the provisions of this section undergoing a postgraduate course at any institution shall not be eligible for appointment as a reserve officer while undergoing such postgraduate course, but his ultimate eligibility upon completion of such postgraduate course for such appointment shall not be affected because of his having undergone such postgraduate course.

"SEC. 50. When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for further training by the president of the institution and by its professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course in the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the courses in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps.

"SEC. 51. Any physically fit male citizen of the United States, between the ages of 21 and 27 years, who shall have graduated prior to the date of this act from any educational institution at which an officer of the Army was detailed as professor of military science and tactics, and who, while a student at such institution, completed courses of military training under the direction of such professor of military science and tactics substantially equivalent to those prescribed pursuant to this act for the senior division, shall, after satisfactorily completing such additional practical military training as the Secretary of War shall prescribe, be eligible for appointment to the Officers' Reserve Corps and as a temporary additional second lieutenant in accordance with the terms of this act.

"SEC. 52. The President alone is hereby authorized to appoint and commission as a temporary second lieutenant of the Regular Army in time of peace for purposes of instruction, for a period not exceeding six months, with the allowances now provided by

law for that grade, but with pay at the rate of \$100 per month, any reserve officer appointed pursuant to sections 49 and 51 of this act and to attach him to a unit of the Regular Army for duty and training during the period covered by his appointment as such temporary second lieutenant, and upon the expiration of such service with the Regular Army such officer shall revert to his status as a reserve officer.

"SEC. 53. No reserve officer or temporary second lieutenant appointed pursuant to this act shall be entitled to retirement or to retired pay and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Regular Army pursuant to the provisions of this act: *Provided*, That in time of war the President may order reserve officers appointed under the provisions of this act to active duty with any of the military forces of the United States in any grades not below that of second lieutenant, and while on such active duty they shall be subject to the Rules and Articles of War: *And provided further*, That The Adjutant General of the Army shall, under the direction and supervision of the Secretary of War, obtain, compile, and keep continually up to date all obtainable information as to the names, ages, addresses, occupations, and qualifications for appointment as commissioned officers of the Army, in time of war or other emergency, of men of suitable ages who, by reason of having received military training in civilian educational institutions or elsewhere, may be regarded as qualified and available for appointment as such commissioned officers.

"SEC. 54. Training camps: The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, camps for the military instruction and training of such citizens as may be selected for such instruction and training, upon their application and under such terms of enlistment and regulations as may be prescribed by the Secretary of War; to use, for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipment, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish, at the expense of the United States, uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, and medical supplies to persons receiving instruction at said camps during the period of their attendance thereat, to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instruction at said camps, for cash and at cost price plus 10 per cent, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time of the sale. The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the period during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers and enlisted men of the Regular Army in such numbers and upon such duties as he may designate.

"SEC. 55. The Enlisted Reserve Corps: For the purpose of securing an additional reserve of enlisted men for military service with the Engineer, Signal, and Quartermaster Corps and the Ordnance and Medical Departments of the Regular Army, an Enlisted Reserve Corps, to consist of such number of enlisted men of such grade or grades as may be designated by the President from time to time, is hereby authorized, such authorization to be effective on and after the 1st day of July, 1916.

"There may be enlisted in the grade or grades hereinbefore specified, for a period of four years, under such rules as may be prescribed by the President, citizens of the United States, or persons who have declared their intentions to become citizens of the United States, subject to such physical, educational, and practical examination as may be prescribed in said rules. For men enlisting in said grade or grades certificates of enlistment in the Enlisted Reserve Corps shall be issued by The Adjutant General of the Army, but no such man shall be enlisted in said corps unless he shall be found physically, mentally, and morally qualified to hold such certificate and unless he shall be between the ages of 18 and 45 years. The certificates so given shall confer upon the holders when called into active service or for purposes of instruction and training, and during the period of such

active service, instruction, or training, all the authority, rights, and privileges of like grades of the Regular Army. Enlisted men of the Enlisted Reserve Corps shall take precedence in said corps according to the dates of their certificates of enlistment therein and when called into active service or when called out for purposes of instruction or training shall take precedence next below all other enlisted men of like grades in the Regular Army. And the Secretary of War is hereby authorized to issue to members of the Enlisted Reserve Corps and to persons who have participated in at least one encampment for the military instruction of citizens, conducted under the auspices of the War Department, distinctive rosettes or knots designed for wear with civilian clothing, and whenever a rosette or knot issued under the provisions of this section shall have been lost, destroyed, or rendered unfit for use without fault or neglect upon the part of the person to whom it is issued, the Secretary of War shall cause a new rosette or knot to be issued to such person without charge therefor. Any person who is not an enlisted man of the Enlisted Reserve Corps and shall not have participated in at least one encampment for the military instruction of citizens, conducted under the auspices of the War Department, and who shall wear such rosette or knot shall be guilty of misdemeanor punishable by a fine of not exceeding \$300, or imprisonment not exceeding six months, or both.

"The President is authorized to assign members of the Enlisted Reserve Corps as reserves to particular organizations of the Regular Army, or to organize the Enlisted Reserve Corps, or any part thereof, into units or detachments of any arm, corps, or department in such manner as he may prescribe, and to assign to such units and detachments officers of the Regular Army or of the Officers' Reserve Corps, herein provided for.

"To the extent provided from time to time by appropriations the Secretary of War may order enlisted men of the Enlisted Reserve Corps to active service for purposes of instruction or training for periods not to exceed 15 days in any one calendar year: *Provided*, That, with the consent of such enlisted men and within the limits of funds available for such purposes, such periods of active service may be extended for such number of enlisted men as may be deemed necessary.

"Enlisted men of the Enlisted Reserve Corps shall receive the pay and allowances of their respective grades, but only when ordered into active service, including the time required for actual travel from their homes to the places to which ordered and return to their homes: *Provided*, That said enlisted men shall not be entitled to retirement or retirement pay, nor shall they be entitled to pensions except for physical disability incurred in line of duty while in active service or while traveling under orders of competent authority to or from designated places of duty.

"The uniform to be worn by enlisted men of the Enlisted Reserve Corps, except corps insignia, shall be the same as prescribed for enlisted men of the Regular Army Reserve, and that in lieu of any money allowance for clothing there shall be issued to each enlisted man of the Enlisted Reserve Corps in time of peace such articles of clothing and equipment as the President may direct: *Provided*, That any clothing or other equipment issued to any enlisted man of the said corps shall remain the property of the United States, and in case of loss or destruction of any article the article so lost or destroyed shall be replaced by issue to the enlisted man and the value thereof deducted from any pay due or to become due him, unless it shall be made to appear that such loss or destruction was not due to neglect or other fault on his part: *Provided further*, That any clothing or other equipment issued to enlisted men of the Enlisted Reserve Corps which shall have become unserviceable through ordinary wear and tear in the service of the United States shall be received back by the United States and serviceable like articles issued in lieu thereof: *Provided further*, That when enlisted men of the Enlisted Reserve Corps shall be discharged or otherwise separated from the service, all arms, equipment, clothing, and other property issued to them shall be accounted for under such regulations as may be prescribed by the Secretary of War.

"Any enlisted man of the Enlisted Reserve Corps ordered to active service or for purposes of instruction or training shall, from the time he is required by the terms of the order to obey the same, be subject to the laws and regulations for the government of the Army of the United States.

"The Secretary of War is hereby authorized to discharge any enlisted member of the Enlisted Reserve Corps when his services shall be no longer required or when he shall have by misconduct unfitted himself for further service in the said corps: *Provided*, That any enlisted man of said corps who shall be ordered upon active duty as herein provided and who shall willfully fail to comply with the terms of the order so given him

shall, in addition to any other penalty to which he may be subject, forfeit his certificate of enlistment.

"In time of actual or threatened hostilities the President may order the Enlisted Reserve Corps, in such numbers and at such times as may be considered necessary, to active service with the Regular Army, and while on such service members of said corps shall exercise command appropriate to their several grades and rank in the organizations to which they shall be assigned and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of service as now allowed by law for the Regular Army: *Provided*, That upon a call by the President for a volunteer force the members of the Enlisted Reserve Corps may be mustered into the service of the United States as volunteers for duty with the Army in the grades held by them in the said corps, and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of service, as now provided by law for the Regular Army: *And provided further*, That enlisted men of the Enlisted Reserve Corps shall not acquire by virtue of issuance of certificates of enlistment to them a vested right to be mustered into the volunteer service of the United States.

"SEC. 56. Military equipment and instructors at other schools and colleges: Such arms, tentage, and equipment as the Secretary of War shall deem necessary for proper military training shall be supplied by the Government to schools and colleges, other than those provided for in section 47 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years, under such rules and regulations as he may prescribe; and the Secretary of War is hereby authorized to detail such commissioned and noncommissioned officers of the Army to said schools and colleges, other than those provided for in sections 45 and 46 of this act, detaching not less than one such officer or noncommissioned officer to each 500 students under military instruction.

"SEC. 57. Composition of the militia: The militia of the United States shall consist of all able-bodied male citizens of the United States and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than 18 years of age and, except as hereinafter provided, not more than 45 years of age, and said militia shall be divided into three classes, the National Guard, the Naval Militia, and the Unorganized Militia.

"SEC. 58. Composition of the National Guard: The National Guard shall consist of the regularly enlisted militia between the ages of 18 and 45 years organized, armed, and equipped as hereinafter provided, and of commissioned officers between the ages of 21 and 64 years.

"SEC. 59. Exemptions from militia duty: The Vice President of the United States; the officers, judicial and executive, of the Government of the United States and of the several States and Territories; persons in the military or naval service of the United States; customhouse clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States shall be exempt from militia duty without regard to age, and all persons who because of religious belief shall claim exemption from military service, if the conscientious holding of such belief by such persons shall be established under such regulations as the President shall prescribe, shall be exempted from militia service in a combatant capacity; but no person so exempted shall be exempt from militia service in any capacity that the President shall declare to be noncombatant.

"SEC. 60. Organization of National Guard units: Except as otherwise specifically provided herein, the organization of the National Guard, including the composition of all units thereof, shall be the same as that which is or may hereafter be prescribed for the Regular Army, subject in time of peace to such general exceptions as may be authorized by the Secretary of War. And the President may prescribe the particular unit or units, as to branch or arm of service, to be maintained in each State, Territory, or the District of Columbia in order to secure a force which, when combined, shall form complete higher tactical units.

"SEC. 61. Maintenance of other troops by the States: No State shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this act: *Provided*, That nothing contained in this act shall be construed as limiting the rights of the States and Territories in the use of the National Guard within their respective borders in time of peace: *Provided further*, That nothing contained in this act shall prevent the organization and maintenance of State police or constabulary.

"SEC. 62. Number of the National Guard: The number of enlisted men of the National Guard to be organized under this act within one year from its passage shall be for each State in the proportion of 200 such men for each Senator and Representative in Congress from such State, and a number to be determined by the President for each Territory and the District of Columbia, and shall be increased each year thereafter in the proportion of not less than 50 per cent until a total peace strength of not less than 800 enlisted men for each Senator and Representative in Congress shall have been reached: *Provided*, That in States which have but one Representative in Congress such increase shall be at the discretion of the President: *Provided further*, That this shall not be construed to prevent any State, Territory, or the District of Columbia from organizing the full number of troops required under this section in less time than is specified in this section, or from maintaining existing organizations if they shall conform to such rules and regulations regarding organization, strength, and armament as the President may prescribe: *And provided further*, That nothing in this act shall be construed to prevent any State with but one Representative in Congress from organizing one or more regiments of troops, with such auxiliary troops as the President may prescribe; such organizations and members of such organizations to receive all the benefits accruing under this act under the conditions set forth herein: *Provided further*, That the word Territory as used in this act and in all laws relating to the land militia and National Guard shall include and apply to Hawaii, Alaska, Porto Rico, and the Canal Zone, and the militia of the Canal Zone shall be organized under such rules and regulations, not in conflict with the provisions of this act, as the President may prescribe.

"SEC. 63. Any corps of Artillery, Cavalry, or Infantry existing in any of the States on the passage of the act of May 8, 1792, which by the laws, customs, or usages of said States has been in continuous existence since the passage of said act, under its provisions and under the provisions of section 232 and sections 1625 to 1660, both inclusive, of title 16 of the Revised Statutes of 1873, and the act of January 21, 1903, relating to the militia, shall be allowed to retain its ancient privileges, subject, nevertheless, to all duties required by law of militia: *Provided*, That said organizations may be a part of the National Guard and entitled to all the privileges of this act, and shall conform in all respects to the organization, discipline, and training of the National Guard in time of war: *Provided further*, That for purposes of training and when on active duty in the service of the United States they may be assigned to higher units, as the President may direct, and shall be subject to the orders of officers under whom they shall be serving.

"SEC. 64. Assignment of National Guard to brigades and divisions: For the purpose of maintaining appropriate organization and to assist in instruction and training, the President may assign the National Guard of the several States and Territories and the District of Columbia to divisions, brigades, and other tactical units, and may detail officers, either from the National Guard or the Regular Army, to command such units: *Provided*, That where complete units are organized within a State, Territory, or the District of Columbia the commanding officers thereof shall not be displaced under the provisions of this section.

"SEC. 65. Chiefs of staff of National Guard divisions: The President may detail one officer of the Regular Army as chief of staff and one officer of the Regular Army or the National Guard as assistant to the chief of staff of any division of the National Guard in the service of the United States as a National Guard organization: *Provided*, That in order to insure the prompt mobilization of the National Guard in time of war or other emergency, the President may, in time of peace, detail an officer of the Regular Army to perform the duties of chief of staff for each fully organized tactical division of the National Guard.

"SEC. 66. Adjutants general of States, etc.: The adjutants general of the States, Territories, and the District of Columbia and the officers of the National Guard shall make such returns and reports to the Secretary of War, or to such officers as he may designate, at such times and in such form as the Secretary of War may from time to time prescribe: *Provided*, That the adjutants general of the Territories and of the District of Columbia shall be appointed by the President with such rank and qualifications as he may prescribe, and each adjutant general for a Territory shall be a citizen of the Territory for which he is appointed.

"SEC. 67. Appropriation, apportionment, and disbursement of funds for the National Guard: A sum of money shall hereafter be appropriated annually, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the National Guard, including the expense of providing arms,

ordnance stores, quartermaster stores, and camp equipage, and all other military supplies for issue to the National Guard, and such other expenses pertaining to said guard as are now or may hereafter be authorized by law.

"The appropriation provided for in this section shall be apportioned among the several States and Territories under just and equitable procedure to be prescribed by the Secretary of War and in direct ratio to the number of enlisted men in active service in the National Guard existing in such States and Territories at the date of apportionment of said appropriation, and to the District of Columbia, under such regulations as the President may prescribe: *Provided*, That the sum so apportioned among the several States, Territories, and the District of Columbia shall be available under such rules as may be prescribed by the Secretary of War for the actual and necessary expenses incurred by officers and enlisted men of the Regular Army when traveling on duty in connection with the National Guard; for the transportation of supplies furnished to the National Guard for the permanent equipment thereof; for office rent and necessary office expenses of officers of the Regular Army on duty with the National Guard; for the expenses of the Militia Bureau, including clerical services, now authorized for the Division of Militia Affairs; for expenses of enlisted men of the Regular Army on duty with the National Guard, including quarters, fuel, light, medicines, and medical attendance; and such expenses shall constitute a charge against the whole sum annually appropriated for the support of the National Guard, and shall be paid therefrom and not from the allotment duly apportioned to any particular State, Territory, or the District of Columbia; for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment of shooting galleries and suitable target ranges; for the hiring of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary, and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law.

"The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, an officer of the National Guard of the State, Territory, or District of Columbia who shall be regarded as property and disbursing officer for the United States. He shall receipt and account for all funds and property belonging to the United States in possession of the National Guard of his State, Territory, or District, and shall make such returns and reports concerning the same as may be required by the Secretary of War. The Secretary of War is authorized, on the requisition of the governor of a State or Territory or the commanding general of the National Guard of the District of Columbia, to pay to the property and disbursing officer thereof so much of its allotment out of the annual appropriation for the support of the National Guard as shall, in the judgment of the Secretary of War, be necessary for the purposes enumerated therein. He shall render, through the War Department, such accounts of Federal funds intrusted to him for disbursement as may be required by the Treasury Department. Before entering upon the performance of his duties as property and disbursing officer he shall be required to give good and sufficient bond to the United States, the amount thereof to be determined by the Secretary of War, for the faithful performance of his duties and for the safekeeping and proper disposition of the Federal property and funds intrusted to his care. He shall, after having qualified as property and disbursing officer, receive pay for his services at a rate to be fixed by the Secretary of War, and such compensation shall be a charge against the whole sum annually appropriated for the support of the National Guard: *Provided*, That when traveling in the performance of his official duties under orders issued by the proper authorities he shall be reimbursed for his actual necessary traveling expenses, the sum to be made a charge against the allotment of the State, Territory, or District of Columbia: *Provided further*, That the Secretary of War shall cause an inspection of the accounts and records of the property and disbursing officer to be made by an inspector general of the Army at least once each year: *And provided further*, That the Secretary of War is empowered to make all rules and regulations necessary to carry into effect the provisions of this section.

"SEC. 68. Location of units: The States and Territories shall have the right to determine and fix the location of the units and headquarters of the National Guard within their respective borders: *Provided*, That no organization of the National Guard,

members of which shall be entitled to and shall have received compensation under the provisions of this act, shall be disbanded without the consent of the President, nor, without such consent, shall the commissioned or enlisted strength of any such organization be reduced below the minimum that shall be prescribed therefor by the President.

"Sec. 69. Enlistments in the National Guard: Hereafter the period of enlistment in the National Guard shall be for six years, the first three years of which shall be in an active organization and the remaining three years in the National Guard reserve, hereinafter provided for, and the qualifications for enlistment shall be the same as those prescribed for admission to the Regular Army: *Provided*, That in the National Guard the privilege of continuing in active service during the whole of an enlistment period and of reenlisting in said service shall not be denied by reason of anything contained in this act.

"Sec. 70. Federal enlistment contract: Enlisted men in the National Guard of the several States, Territories, and the District of Columbia now serving under enlistment contracts which contain an obligation to defend the Constitution of the United States and to obey the orders of the President of the United States shall be recognized as members of the National Guard under the provisions of this act for the unexpired portion of their present enlistment contracts. When any such enlistment contract does not contain such obligation, the enlisted man shall not be recognized as a member of the National Guard until he shall have signed an enlistment contract and taken and subscribed to the following oath of enlistment, upon signing which credit shall be given for the period already served under the old enlistment contract: 'I do hereby acknowledge to have voluntarily enlisted this — day of —, 19—, as a soldier in the National Guard of the United States and of the State of —, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of —, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of —, and of the officers appointed over me according to law and the Rules and Articles of War.'

"Sec. 71. Hereafter all men enlisting for service in the National Guard shall sign an enlistment contract and take and subscribe to the oath prescribed in the preceding section of this act.

"Sec. 72. Discharge of enlisted men from the National Guard: An enlisted man discharged from service in the National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army, and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the President may prescribe.

"Sec. 73. Federal oath for National Guard officers: Commissioned officers of the National Guard of the several States, Territories, and the District of Columbia now serving under commissions regularly issued shall continue in office, as officers of the National Guard, without the issuance of new commissions: *Provided*, That said officers have taken, or shall take and subscribe to the following oath of office: 'I, —, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of —, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of —; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of — in the National Guard of the United States and of the State of — upon which I am about to enter, so help me God.'

"Sec. 74. Qualifications for National Guard officers: Persons hereafter commissioned as officers of the National Guard shall not be recognized as such under any of the provisions of this act unless they shall have been selected from the following classes and shall have taken and subscribed to the oath of office prescribed in the preceding section of this act: Officers or enlisted men of the National Guard; officers on the reserve or unassigned list of the National Guard; officers, active or retired, and former officers of the United States Army, Navy, and Marine Corps; graduates of the United States Military and Naval Academies and graduates of schools, colleges, and universities where military science is taught under the supervision of an officer of the Regular Army, and, for the technical branches and staff corps or departments, such other civilians as may be specially qualified for duty therein.

"Sec. 75. The provisions of this act shall not apply to any person hereafter appointed an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the President shall prescribe. The examination to determine such qualifications for commission shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or the National Guard, or both.

"Sec. 76. Filling of vacancies when drafted into Federal service: All vacancies occurring in any grade of commissioned officers in any organization in the military service of the United States and composed of persons drafted from the National Guard under the provisions of this act shall be filled by the President, as far as practicable, by the appointment of persons similarly taken from said guard, and in the manner prescribed by law for filling similar vacancies occurring in the volunteer forces.

"Sec. 77. Elimination and disposition of officers: At any time the moral character, capacity, and general fitness for the service of any National Guard officer may be determined by an efficiency board of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation, and if the findings of such board be unfavorable to such officer and be approved by the official authorized to appoint such an officer, he shall be discharged. Commissions of officers of the National Guard may be vacated upon resignation, absence without leave for three months, upon the recommendation of an efficiency board, or pursuant to sentence of a court-martial. Officers of said guard rendered surplus by the disbandment of their organizations shall be placed in the National Guard Reserve. Officers may, upon their own application, be placed in the said reserve.

"Sec. 78. The National Guard Reserve: Subject to such rules and regulations as the President may prescribe, a National Guard Reserve shall be organized in each State, Territory, and the District of Columbia, and shall consist of such organizations, officers, and enlisted men as the President may prescribe, or members thereof may be assigned as reserves to an active organization of the National Guard: *Provided*, That members of said reserve, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as enlisted men of like grade on the active list of said guard when likewise engaged: *Provided further*, That, except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes.

"Sec. 79. Reserve battalions for recruit training: When members of the National Guard and the enlisted reserve thereof of any State, Territory, or the District of Columbia shall have been brought into the service of the United States in time of war, there shall be immediately organized, either from such enlisted reserve or from the unorganized militia, in such State, Territory, or District, one reserve battalion for each regiment of Infantry or Cavalry, or each 9 batteries of Field Artillery, or each 12 companies of Coast Artillery, brought into the service of the United States, and such reserve battalion shall constitute the fourth battalion of any such regiment or 12 companies of Coast Artillery. Reserve battalions shall consist of four companies of such strength as may be prescribed by the President of the United States. When the members of three or more regiments of the National Guard of any State, Territory, or District shall have been brought into the service of the United States, the reserve battalions of such regiments may be organized into provisional regiments and higher units. If for any reason there shall not be enough voluntary enlistments to keep the reserve battalions at the prescribed strength, a sufficient number of the unorganized militia shall be drafted into the service of the United States to maintain each of such battalions at the proper strength. As vacancies occur from death or other causes in any organization in the service of the United States and composed of men taken from the National Guard, men shall be transferred from the reserve battalions to the organizations in the field so that such organizations may be maintained at war strength. Officers for the reserve battalions provided for herein shall be drafted from the National Guard Reserve or Coast Artillery companies of the National Guard or the Officers' Reserve Corps, such officers to be taken, if practicable, from the States, respectively, in which the battalions shall be organized. Officers and noncommissioned officers returned to their home stations because of their inability to perform active field service may be assigned to reserve battalions for duty, and all soldiers invalided home shall be assigned to and carried on the rolls of reserve battalions until returned to duty or until discharged.

"SEC. 80. Leaves of absence for certain Government employees: All officers and employees of the United States and of the District of Columbia who shall be members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of this act.

"SEC. 81. Militia Bureau of the War Department: The National Militia Board created by section 11 of the act of May 27, 1908, amending section 20 of the act of January 21, 1903, shall, from the date of the approval of this act, be abolished. The Militia Division now existing in the War Department shall hereafter be known as the Militia Bureau of said department, shall, like other bureaus of said department, be under the immediate supervision of the Secretary of War, and shall not form a part of any other bureau, office, or other organization, but the Chief of the Militia Bureau shall be ex officio a member of the General Staff Corps: *Provided*, That the President may, in his discretion, assign to duty in the Militia Bureau as assistants to the chief thereof not to exceed one colonel and one lieutenant colonel of the National Guard, for terms of four years, and any such officer while so assigned shall, subject to such regulations as the President may prescribe, receive out of the whole fund appropriated for the support of the militia the pay and allowances of a Regular Army officer having the same rank and length of service as said National Guard officer, whose prior service in the Organized Militia shall be counted in ascertaining his rights under this proviso.

"SEC. 82. Armament, equipment, and uniform of the National Guard: The National Guard of the United States shall, as far as practicable, be uniformed, armed, and equipped with the same type of uniforms, arms, and equipments as are or shall be provided for the Regular Army.

"SEC. 83. The Secretary of War is hereby authorized to procure, under such regulations as the President may prescribe, by purchase or manufacture, within the limits of available appropriations made by Congress, and to issue from time to time to the National Guard, upon requisition of the governors of the several States and Territories or the commanding general of the National Guard of the District of Columbia, such number of United States service arms, with all accessories, field-artillery matériel, engineer, coast artillery, signal, and sanitary matériel, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territories, and the District of Columbia: *Provided*, That as a condition precedent to the issue of any property as provided for by this act, the State, Territory, or the District of Columbia desiring such issue shall make adequate provision, to the satisfaction of the Secretary of War, for the protection and care of such property: *Provided further*, That, whenever it shall be shown to the satisfaction of the Secretary of War that the National Guard of any State, Territory, or the District of Columbia is properly organized, armed, and equipped for field service, funds allotted to that State, Territory, or District for the support of its National Guard may be used for the purchase, from the War Department, of any article issued by any of the supply departments of the Army.

"SEC. 84. Under such regulations as the President may prescribe, whenever a new type of equipment, small arm, or field gun shall have been issued to the National Guard of the several States, Territories, and the District of Columbia, such equipment, small arms, and field guns, including all accessories, shall be furnished without charging the cost or value thereof or any expense connected therewith against the appropriations provided for the support of the National Guard.

"SEC. 85. Each State, Territory, and the District of Columbia shall, on the receipt of new property issued to replace obsolete or condemned prior issues, turn in to the War Department or otherwise dispose of, in accordance with the directions of the Secretary of War, all property so replaced or condemned, and shall not receive any money credit therefor.

"SEC. 86. Any State, Territory, or the District of Columbia may, with the approval of the Secretary of War, purchase for cash from the War Department for the use of the National Guard, including the officers thereof, any stores, supplies, material of war, and military publications furnished to the Army, in addition to those issued under the provisions of this act, at the price at which they shall be listed to the Army, with cost of transportation added. The funds received from such sale shall be credited to the appropriation to which they shall belong, shall not be covered into the Treasury, and shall be available until expended to replace therewith the supplies sold to the

States in the manner herein authorized: *Provided*, That stores, supplies, and matériel of war so purchased by a State, Territory, or the District of Columbia may, in time of actual or threatened war, be requisitioned by the United States for use in the military service thereof, and when so requisitioned by the United States and delivered credit for the ultimate return of such property in kind shall be allowed to such State, Territory, or the District of Columbia.

"SEC. 87. Disposition and replacement of damaged property, etc.: All military property issued to the National Guard as herein provided shall remain the property of the United States. Whenever any such property issued to the National Guard in any State or Territory or the District of Columbia shall have been lost, damaged, or destroyed, or become unserviceable or unsuitable by use in service or from any other cause, it shall be examined by a disinterested surveying officer of the Regular Army or the National Guard, detailed by the Secretary of War, and the report of such surveying officer shall be forwarded to the Secretary of War, or to such officer as he shall designate to receive such reports; and if it shall appear to the Secretary of War from the record of survey that the property was lost, damaged, or destroyed through unavoidable causes, he is hereby authorized to relieve the State or Territory or the District of Columbia from further accountability therefor. If it shall appear that the loss, damage, or destruction of property was due to carelessness or neglect, or that its loss, damage, or destruction could have been avoided by the exercise of reasonable care, the money value of such property shall be charged to the accountable State, Territory, or District of Columbia, to be paid from State, Territory, or District funds, or any funds other than Federal. If the articles so surveyed are found to be unserviceable or unsuitable, the Secretary of War shall direct what disposition, by sale or otherwise, shall be made of them; and if sold, the proceeds of such sale, as well as stoppages against officers and enlisted men, and the net proceeds of collections made from any person or from any State, Territory, or District to reimburse the Government for the loss, damage, or destruction of any property, shall be deposited in the Treasury of the United States as a credit to said State, Territory, or the District of Columbia, accountable for said property, and as a part of and in addition to that portion of its allotment set aside for the purchase of similar supplies, stores, or material of war: *Provided further*, That if any State, Territory, or the District of Columbia shall neglect or refuse to pay, or to cause to be paid, the money equivalent of any loss, damage, or destruction of property charged against such State, Territory, or the District of Columbia by the Secretary of War after survey by a disinterested officer appointed as hereinbefore provided, the Secretary of War is hereby authorized to debar such State, Territory, or the District of Columbia from further participation in any and all appropriations for the National Guard until such payment shall have been made.

"SEC. 88. The net proceeds of the sale of condemned stores issued to the National Guard and not charged to State allotments shall be covered into the Treasury of the United States, as shall also stoppages against officers and enlisted men, and the net proceeds of collections made from any person to reimburse the Government for the loss, damage, or destruction of said property not charged against the State allotment issued for the use of the National Guard.

"SEC. 89. Horses for Cavalry and Field Artillery of National Guard: Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards for the use of Field Artillery and Cavalry of the National Guard, said horses to remain the property of the United States and to be used solely for military purposes.

"Horses so purchased may be issued not to exceed 32 to any one battery or troop, under such regulations as the Secretary of War may prescribe; and the Secretary of War is further authorized to issue, in lieu of purchase, for the use of such organizations, condemned Army horses which are no longer fit for service, but which may be suitable for the purposes of instruction, such horses to be sold as now provided by law when said purposes shall have been served.

"SEC. 90. Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government horses issued to any battery or troop, and for the compensation of competent help for the care of the material, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five

for each battery or troop, shall be duly enlisted therein and shall be detailed by the battery or troop commander, under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia.

"Sec. 91. Discipline to conform to that of Regular Army: The discipline (which includes training) of the National Guard shall conform to the system which is now or may hereafter be prescribed for the Regular Army, and the training shall be carried out by the several States, Territories, and the District of Columbia so as to conform to the provisions of this act.

"Sec. 92. Training of the National Guard: Each company, troop, battery, and detachment in the National Guard shall assemble for drill and instruction, including indoor target practice, not less than 48 times each year, and shall, in addition thereto, participate in encampments, maneuvers, or other exercises, including outdoor target practice, at least 15 days in training each year, including target practice, unless such company, troop, battery, or detachment shall have been excused from participation in any part thereof by the Secretary of War: *Provided*, That credit for an assembly for drill or for indoor target practice shall not be given unless the number of officers and enlisted men present for duty at such assembly shall equal or exceed a minimum to be prescribed by the President, nor unless the period of actual military duty and instruction participated in by each officer and enlisted man at each such assembly at which he shall be credited as having been present shall be of at least one and one-half hours' duration and the character of training such as may be prescribed by the Secretary of War.

"Sec. 93. Inspections of the National Guard: The Secretary of War shall cause an inspection to be made at least once each year by inspectors general, and if necessary by other officers, of the Regular Army, detailed by him for that purpose, to determine whether the amount and condition of the property in the hands of the National Guard is satisfactory; whether the National Guard is organized as hereinbefore prescribed; whether the officers and enlisted men possess the physical and other qualifications prescribed; whether the organization and the officers and enlisted men thereof are sufficiently armed, uniformed, equipped, and being trained and instructed for active duty in the field or coast defense, and whether the records are being kept in accordance with the requirements of this act. The reports of such inspections shall serve as the basis for deciding as to the issue to and retention by the National Guard of the military property provided for by this act, and for determining what organizations and individuals shall be considered as constituting parts of the National Guard within the meaning of this act.

"Sec. 94. Encampments and maneuvers: Under such regulations as the President may prescribe the Secretary of War is authorized to provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction, either independently or in conjunction with any part of the Regular Army; and there may be set aside from the funds appropriated for that purpose and allotted to any State, Territory, or the District of Columbia such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of such State, Territory, or the District of Columbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice, for field and coast-defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled by law.

"Sec. 95. When any part of the National Guard participates in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction at a United States military post, or reservation, or elsewhere, if in conjunction with troops of the United States, the command of such military post or reservation and of the officers and troops of the United States on duty there or elsewhere shall remain with the commander of the United States troops without regard to the rank of the commanding or other officer of the National Guard temporarily engaged in the encampments, maneuvers, or other exercises.

"Sec. 96. Use of Regular Army personnel: The Secretary of War may detail one or more officers and enlisted men of the Regular Army to attend any encampment, maneuver, or other exercise for field or coast-defense instruction of the National Guard, who shall give such instruction and information to the officers and men assembled for such encampment, maneuver, or other exercise as may be directed by the Secretary of War or

requested by the governor or by the commanding officer of the National Guard there on duty.

"Sec. 97. Under such regulations as the President may prescribe the Secretary of War may provide camps for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for that purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation, and enlisted men to subsistence in addition, at the same rates as for encampments or maneuvers for field or coast-defense instruction.

"Sec. 98. When any portion of the National Guard shall participate in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction, under the provisions of this act, it may, after being duly mustered, be paid at any time after such muster for the period from the date of leaving the home rendezvous to date of return thereto as determined in advance, both dates inclusive; and such payment, if otherwise correct, shall pass to the credit of the disbursing officer making the same.

"Sec. 99. National Guard officers and men at service schools, etc.: Under such regulations as the President may prescribe, the Secretary of War may, upon the recommendation of the governor of any State or Territory or the commanding general of the National Guard of the District of Columbia, authorize a limited number of selected officers or enlisted men of the National Guard to attend and pursue a regular course of study at any military service school of the United States, except the United States Military Academy; or to be attached to an organization of the same arm, corps, or department to which such officer or enlisted man shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officer or enlisted man shall receive, out of any National Guard allotment of funds available for the purpose, the same travel allowances and quarters, or commutation of quarters, and the same pay, allowances, and subsistence to which an officer or enlisted man of the Regular Army would be entitled for attending such school, college, or practical course of instruction under orders from proper military authority, while in actual attendance at such school, college, or practical course of instruction: *Provided*, That in no case shall the pay and allowances authorized by this section exceed those of a captain.

"Sec. 100. Detail of officers of Regular Army to duty with the National Guard: The Secretary of War shall detail officers of the active list of the Army to duty with the National Guard in each State, Territory, or District of Columbia, and officers so detailed may accept commissions in the National Guard, with the permission of the President and terminable in his discretion, without vacating their commissions in the Regular Army or being prejudiced in their relative or lineal standing therein. The Secretary of War may, upon like application, detail one or more enlisted men of the Regular Army with each State, Territory, or District of Columbia for duty in connection with the National Guard. But nothing in this section shall be so construed as to prevent the detail of retired officers as now provided by law.

"Sec. 101. National Guard, when subject to laws governing Regular Army: The National Guard when called as such into the service of the United States shall, from the time they are required by the terms of the call to respond thereto, be subject to the laws and regulations governing the Regular Army, so far as such laws and regulations are applicable to officers and enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law.

"Sec. 102. System of courts-martial for National Guard: Except in organizations in the service of the United States, court-martial in the National Guard shall be of three kinds, namely, general courts-martial, special courts-martial, and summary courts-martial. They shall be constituted like, and have cognizance of the same subjects, and possess like powers, except as to punishments, as similar courts provided for by the laws and regulations governing the Army of the United States, and the proceedings of courts-martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts.

"Sec. 103. General courts-martial of the National Guard not in the service of the United States may be convened by orders of the President, or of the governors of the respective States and Territories, or by the commanding general of the National Guard of the District of Columbia, and such courts shall have

the power to impose fines not exceeding \$200; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of non-commissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

"SEC. 104. In the National Guard not in the service of the United States the commanding officer of each garrison, fort, post, camp, or other place, brigade, regiment, detached battalion, or other detached command, may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable. Special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States, and such special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by such courts shall not exceed \$100.

"SEC. 105. In the National Guard not in the service of the United States the commanding officer of each garrison, fort, post, or other place, regiment or corps, detached battalion, company, or other detachment of the National Guard may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of the guilt of such soldier, may impose fines not exceeding \$25 for any single offense; may sentence noncommissioned officers to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States.

"SEC. 106. All courts-martial of the National Guard, not in the service of the United States, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed: *Provided*, That such sentences of confinement shall not exceed one day for each dollar of fine authorized.

"SEC. 107. No sentence of dismissal from the service or dishonorable discharge, imposed by a National Guard court-martial, not in the service of the United States, shall be executed until approved by the governor of the State or Territory concerned, or by the commanding general of the National Guard of the District of Columbia.

"SEC. 108. In the National Guard, not in the service of the United States, presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts.

"All processes and sentences of said courts shall be executed by such civil officers as may be prescribed by the laws of the several States and Territories, and in any State where no provision shall have been made for such action, and in the Territories and the District of Columbia, such processes and sentences shall be executed by a United States marshal or his duly appointed deputy, and it shall be the duty of any United States marshal to execute all such processes and sentences and make return thereof to the officer issuing or imposing the same.

"SEC. 109. Pay for National Guard officers: Certain commissioned officers on the active list belonging to organizations of the National Guard of each State, Territory, and the District of Columbia participating in the apportionment of the annual appropriation for the support of the National Guard shall receive compensation for their services, except during the periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army, as follows, not to include longevity pay: A captain \$500 per year and the same pay shall be paid to every officer of higher rank than that of captain, a first lieutenant \$240 per year, and a second lieutenant \$200 per year. Regulations to be prescribed by the Secretary of War shall determine the amount and character of service that must be rendered by officers to entitle them to the whole or specific parts of the maximum pay hereinbefore authorized: *Provided*, That all staff officers, aides-de-camp, and chaplains shall receive not to exceed one-half of the pay of a captain, except that regimental adjutants, and majors and captains in command of machine-gun companies, am-

balance companies, field-hospital companies, or sanitary troops shall receive the pay hereinbefore authorized for a captain.

"SEC. 110. Pay for National Guard enlisted men: Each enlisted man on the active list belonging to an organization of the National Guard of a State, Territory, or the District of Columbia, participating in the apportionment of the annual appropriation for the support of the National Guard, shall receive compensation for his services, except during periods of service for which he may become lawfully entitled to the same pay as an enlisted man of corresponding grade in the Regular Army, at a rate equal to 25 per cent of the initial pay now provided by law for enlisted men of corresponding grades of the Regular Army: *Provided*, That such enlisted man shall receive the compensation herein provided if he shall have attended not less than 48 regular drills during any one year, and a proportionate amount for attendance upon a lesser number of such drills, not less than 24; and no such enlisted man shall receive any part of said compensation except as authorized by this proviso and the three provisos next following: *Provided further*, That the compensation provided herein shall be computed for semi-annual periods, beginning the 1st day of January and the 1st day of July of each year, in proportion to the number of drills attended; and no compensation shall be paid to any enlisted man for the first semiannual period of any year unless he shall have attended during said period at least 24 drills, but any lesser number of drills attended during said period shall be reckoned with the drills attended during the second semiannual period in computing the compensation, if any, due him for that year: *Provided further*, That when any man enters into an enlistment other than an immediate reenlistment he shall be entitled to proportional compensation for that year if during the remainder of the year he shall attend a number of drills whose ratio to 24 is not less than the ratio of the part of the year so served to the whole year; and when any man's enlistment shall expire the compensation, if any, to which he may be entitled shall be determined in like manner: *Provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War.

"All amounts appropriated for the purpose of this and the last preceding section shall be disbursed and accounted for by the officers and agents of the Quartermaster Corps of the Army, and all disbursements under the foregoing provisions of this section shall be made as soon as practicable after the 31st day of December and the 30th day of June of each year upon pay rolls prepared and authenticated in the manner to be prescribed by the Secretary of War: *Provided*, That stoppages may be made against the compensation payable to any officer or enlisted man hereunder to cover the cost of public property lost or destroyed by and chargeable to such officer or enlisted man.

"Except as otherwise specifically provided herein, no money appropriated under the provisions of this or the last preceding section shall be paid to any person not on the active list, nor to any person over 64 years of age, nor to any person who shall fail to qualify as to fitness for military service under such regulations as the Secretary of War shall prescribe, nor to any State, Territory, or District, or officer or enlisted man in the National Guard thereof, unless and until such State, Territory, or District provides by law that staff officers, including officers of the Pay, Inspection, Subsistence, and Medical Departments hereafter appointed shall have had previous military experience and shall hold their positions until they shall have reached the age of 64 years, unless retired prior to that time by reason of resignation, disability, or for cause to be determined by a court-martial legally convened for that purpose, and that vacancies among said officers shall be filled by appointment from the officers of the militia of such State, Territory, or District: *Provided further*, That the preceding proviso shall not apply to any State, Territory, or District until 60 days next after the adjournment of the next session of its legislature held after the approval of this act.

"SEC. 111. National Guard when drafted into Federal service: When Congress shall have authorized the use of the armed land forces of the United States, for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination, as he may prescribe, draft into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve. All persons so drafted shall, from the date of their draft, stand discharged from the militia, and shall from said date be subject to such

laws and regulations for the government of the Army of the United States as may be applicable to members of the Volunteer Army, and shall be embodied in organizations corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. The commissioned officers of said organizations shall be appointed from among the members thereof, officers with rank not above that of colonel to be appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. Officers and enlisted men in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service.

"Sec. 112. Rights to pensions: When any officer or enlisted man of the National Guard drafted into the service of the United States in time of war is disabled by reason of wounds or disability received or incurred while in the active service of the United States in time of war, he shall be entitled to all the benefits of the pension laws existing at the time of his service, and in case such officer or enlisted man dies in the active service of the United States in time of war or in returning to his place of residence after being mustered out of such service, or at any other time in consequence of wounds or disabilities received in such active service, his widow and children, if any, shall be entitled to all the benefits of such pension laws.

"Sec. 113. Encouragement of rifle practice: The Secretary of War shall annually submit to Congress recommendations and estimates for the establishment and maintenance of indoor and outdoor rifle ranges, under such a comprehensive plan as will ultimately result in providing adequate facilities for rifle practice in all sections of the country. And that all ranges so established and all ranges which may have already been constructed, in whole or in part, with funds provided by Congress shall be open for use by those in any branch of the military or naval service of the United States and by all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the controlling authorities and approved by the Secretary of War. That the President may detail capable officers and non-commissioned officers of the Regular Army and National Guard to duty at such ranges as instructors for the purpose of training the citizenry in the use of the military arm. Where rifle ranges shall have been so established and instructors assigned to duty thereat, the Secretary of War shall be authorized to provide for the issue of a reasonable number of standard military rifles and such quantities of ammunition as may be available for use in conducting such rifle practice.

"Sec. 114. Temporary vacancies in Regular Army due to details to the National Guard: In time of war the temporary vacancies created in any grade not above that of colonel among the commissioned personnel of any arm, staff corps, or department of the Regular Army, through appointments of officers thereof to higher rank in organizations composed of members taken from the National Guard, shall be filled by temporary promotions according to seniority in rank from officers holding commissions in the next lower grade in said arm, staff corps, or department, and all vacancies created in any grade by such temporary promotions shall be in like manner filled from, and thus create temporary vacancies in, the next lower grade, and the vacancies that shall remain thereafter in said arm, staff corps, or department and that can not be filled by temporary promotions, as prescribed in this section, may be filled by the temporary appointment of officers of such number and grade or grades as shall maintain said arm, corps, or department at the full commissioned strength authorized by law: *Provided*, That in the staff corps and departments subject to the provisions of sections 26 and 27 of the act of February 2, 1901, and acts amendatory thereof, temporary vacancies that can not be filled by temporary promotions as hereinbefore prescribed shall be filled by temporary details in the manner prescribed in said sections 26 and 27, and acts amendatory thereof, and the resulting temporary vacancies in the branches of the Army from which the details shall be so made shall be filled as hereinbefore in this section prescribed: *Provided further*, That officers temporarily promoted or appointed under the terms of this section shall be promoted or appointed by the President, by and with the advice and consent of the Senate, for terms that shall not extend beyond the war or the passing of the emergency for which additional forces were brought into the military service of the United States, and at the termination of the war or the passing of the emergency said officers shall be discharged from the positions held by them under their temporary commissions or appointments, and officers detailed as herein authorized shall be relieved from their temporary details: *And provided further*, That officers temporarily promoted under the provisions of this

section shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the Regular Army.

"Sec. 115. Physical examination: Every officer and enlisted man of the National Guard who shall be called into the service of the United States as such shall be examined as to his physical fitness under such regulations as the President may prescribe without further commission or enlistment: *Provided*, That immediately preceding the muster out of an officer or enlisted man called into the active service of the United States he shall be physically examined under rules prescribed by the President of the United States, and the record thereof shall be filed and kept in the War Department.

"Sec. 116. Noncompliance with Federal act: Whenever any State shall, within a limit of time to be fixed by the President, have failed or refused to comply with or enforce any requirement of this act, or any regulation promulgated thereunder and in aid thereof by the President or the Secretary of War, the National Guard of such State shall be debarred, wholly or in part, as the President may direct, from receiving from the United States any pecuniary or other aid, benefit, or privilege authorized or provided by this act or any other law.

"Sec. 117. Applicable to land forces only: The provisions of this act in respect to the militia shall be applicable only to militia organized as a land force and not to the Naval Militia, which shall consist of such part of the militia as may be prescribed by the President for each State, Territory, or District: *Provided*, That each State, Territory, or District maintaining a Naval Militia as herein prescribed may be credited to the extent of the number thereof in the quota that would otherwise be required by section 62 of this act.

"Sec. 118. Necessary rules and regulations: The President shall make all necessary rules and regulations and issue such orders as may be necessary for the thorough organization, discipline, and government of the militia provided for in this act.

"Sec. 119. Annual estimates required: The Secretary of War shall cause to be estimated annually the amount necessary for carrying out the provisions of so much of this act as relates to the militia, and no money shall be expended under said provisions except as shall from time to time be appropriated for carrying them out.

"Sec. 120. Purchase or procurement of military supplies in time of actual or imminent war: The President, in time of war or when war is imminent, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry.

"Compliance with all such orders for products or material shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof and shall take precedence over all other orders and contracts theretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any plant equipped for the manufacture of arms or ammunition, or parts of ammunition, or any necessary supplies or equipment for the Army, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any manufacturing plant, which, in the opinion of the Secretary of War shall be capable of being readily transformed into a plant for the manufacture of arms or ammunition, or parts thereof, or other necessary supplies or equipment, who shall refuse to give to the United States such preference in the matter of the execution of orders, or who shall refuse to manufacture the kind, quantity, or quality of arms or ammunition, or the parts thereof, or any necessary supplies or equipment, as ordered by the Secretary of War, or who shall refuse to furnish such arms, ammunitions, or parts of ammunition, or other supplies or equipment, at a reasonable price as determined by the Secretary of War, then, and in either such case, the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants, and through the Ordnance Department of the United States Army, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company,

association, or corporation, or organized manufacturing industry or the responsible head or heads thereof failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding \$50,000.

"The compensation to be paid to any individual, firm, company, association, corporation, or organized manufacturing industry for its products or material, or as rental for use of any manufacturing plant while used by the United States, shall be fair and just.

"The Secretary of War shall also make, or cause to be made, a complete list of all privately owned plants in the United States equipped to manufacture arms or ammunition, or the component parts thereof. He shall obtain full and complete information regarding the kind of arms or ammunition, or the component parts thereof, manufactured or that can be manufactured by each such plant, the equipment in each plant, and the maximum capacity thereof. He shall also prepare, or cause to be prepared, a list of privately owned manufacturing plants in the United States capable of being readily transformed into ammunition factories, where the capacity of the plant is sufficient to warrant transforming such plant or plants into ammunition factories in time of war or when war shall be imminent; and as to all such plants the Secretary of War shall obtain full and complete information as to the equipment of each such plant, and he shall prepare comprehensive plans for transforming each such plant into an ammunition factory, or a factory in which to manufacture such parts of ammunition as in the opinion of the Secretary of War such plant is best adapted.

"The President is hereby authorized, in his discretion, to appoint a board on mobilization of industries essential for military preparedness, nonpartisan in character, and to take all necessary steps to provide for such clerical assistance as he may deem necessary to organize and coordinate the work hereinbefore described.

"SEC. 121. Investigation as to Government manufacture of arms, etc.: The Secretary of War is hereby authorized to appoint a board of five citizens, two of whom shall be civilians and three of whom shall be officers of the Army, to investigate and report to him the feasibility, desirability, and practicability of the Government manufacturing arms, munitions, and equipment, showing in said report the comparative prices of the arms, munitions, and equipment manufactured in Government plants and those manufactured in private plants, the amount of money necessary to build and operate Government plants for the manufacture of arms, munitions, and equipment; showing also what the Government plants and arsenals are now doing in the way of manufacturing arms, munitions, and equipment, and what saving has accrued to the Government by reason of its having manufactured a large part of its own arms, munitions, and equipment for the last four years. And the Secretary of War is hereby directed to transmit said report to Congress on or before January 1, 1917.

"SEC. 122. Investigation concerning medals of honor: A board to consist of five general officers on the retired list of the Army shall be convened by the Secretary of War, within 60 days after the approval of this act, for the purpose of investigating and reporting upon past awards or issues of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action. And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation. Said board shall have full and free access to and use of all records pertaining to the award or issue of medals of honor by or through the War Department. The actual and necessary expenses of said board and its members shall be paid out of any appropriations available for contingent expenses of the Army of the War Department.

"SEC. 123. Procurement of gauges, dies, jigs, etc., necessary for manufacture of arms, etc.: The Secretary of War be, and he is hereby, authorized to prepare or cause to be prepared, to purchase or otherwise procure, such gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings, as may be necessary for the immediate manufacture, by the Government and

by private manufacturers, of arms, ammunition, and special equipment necessary to arm and equip the land forces likely to be required by the United States in time of war: *Provided*, That in the expenditure of any sums appropriated to carry out the purposes of this section the existing laws prescribing competition in the procurement of supplies by purchase shall not govern, whenever in the opinion of the Secretary of War such action will be for the best interest of the public service.

"SEC. 124. Nitrate supply: The President of the United States is hereby authorized and empowered to make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use; and is also hereby authorized and empowered to designate for the exclusive use of the United States, if in his judgment such means is best and cheapest, such site or sites, upon any navigable or nonnavigable river or rivers or upon the public lands, as in his opinion will be necessary for carrying out the purposes of this act; and is further authorized to construct, maintain, and operate, at or on any site or sites so designated, dams, locks, improvements to navigation, power houses, and other plants and equipment or other means than water power as in his judgment is the best and cheapest, necessary, or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers and other useful products.

"The President is authorized to lease, purchase, or acquire, by condemnation, gift, grant, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants, and to take from any lands of the United States, or to purchase or acquire by condemnation materials, minerals, and processes, patented or otherwise, necessary for the construction and operation of such plants and for the manufacture of such products.

"The products of such plants shall be used by the President for military and naval purposes to the extent that he may deem necessary, and any surplus which he shall determine is not required shall be sold and disposed of by him under such regulations as he may prescribe.

"The President is hereby authorized and empowered to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof.

"The sum of \$20,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to enable the President of the United States to carry out the purposes herein provided for.

"The plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

"In order to raise the money appropriated by this act and necessary to carry its provisions into effect, the Secretary of the Treasury, upon the request of the President of the United States, may issue and sell, or use for such purpose or construction hereinabove authorized, any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed \$20,000,000: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable, and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years.

"SEC. 125. Protection of the uniform: It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps, to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps: *Provided*, That the foregoing provision shall not be construed so as to prevent officers or enlisted men of the National Guard from wearing, in pursuance of law and regulations, the uniform lawfully prescribed to be worn by such officers or enlisted men of the National Guard; nor to prevent members of the organization known as the Boy Scouts of America, or the

Naval Militia, or such other organizations as the Secretary of War may designate, from wearing their prescribed uniforms; nor to prevent persons who in time of war have served honorably as officers of the United States Army, Navy, or Marine Corps, Regular or Volunteer, and whose most recent service was terminated by an honorable discharge, muster out, or resignation, from wearing, upon occasions of ceremony, the uniform of the highest grade they have held by brevet or other commission in such Regular or Volunteer service; nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home, within three months after the date of such discharge; nor to prevent the members of military societies composed entirely of honorably discharged officers or enlisted men, or both, of the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing, upon occasions of ceremony, the uniform duly prescribed by such societies to be worn by the members thereof; nor to prevent the instructors and members of the duly organized cadet corps of a State university, State college, or public high school offering a regular course in military instruction from wearing the uniform duly prescribed by the authorities of such university, college, or public high school for wear by the instructors and members of such cadet corps; nor to prevent the instructors and members of the duly organized cadet corps of any other institution of learning offering a regular course in military instruction, and at which an officer or enlisted man of the United States Army, Navy, or Marine Corps is lawfully detailed for duty as instructor in military science and tactics, from wearing the uniform duly prescribed by the authorities of such institution of learning for wear by the instructors and members of such cadet corps; nor to prevent civilians attendant upon a course of military or naval instruction authorized and conducted by the military or naval authorities of the United States from wearing, while in attendance upon such course of instruction, the uniform authorized and prescribed by such military or naval authorities for wear during such course of instruction; nor to prevent any person from wearing the uniform of the United States Army, Navy, or Marine Corps in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character not tending to bring discredit or reproach upon the United States Army, Navy, or Marine Corps: *Provided further*, That the uniforms worn by officers or enlisted men of the National Guard, or by the members of the military societies or the instructors and members of the cadet corps referred to in the preceding proviso shall include some distinctive mark or insignia to be prescribed by the Secretary of War to distinguish such uniforms from the uniforms of the United States Army, Navy, or Marine Corps: *And provided further*, That the members of the military societies and the instructors and members of the cadet corps hereinbefore mentioned shall not wear the insignia of rank prescribed to be worn by officers of the United States Army, Navy, or Marine Corps, or any insignia of rank similar thereto.

"Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding \$300, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

"SEC. 126. On and after July 1, 1916, an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 3½ cents per mile from the place of his discharge to the place of his acceptance for enlistment, enrollment, or original muster into the service, at his option: *Provided*, That for sea travel on discharge transportation and subsistence only shall be furnished to enlisted men.

"SEC. 127. Nothing in this act shall be held or construed so as to discharge any officer from the Regular Army or to deprive him of the commission which he now holds therein.

"SEC. 128. All laws and parts of laws in so far as they are inconsistent with this act are hereby repealed."

And the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
J. C. W. BECKHAM,
ROBERT F. BROUSSARD,
H. A. DU PONT,
F. E. WARREN,

Managers on the part of the Senate.

JAMES HAY,
S. H. DENT, JR.,
JULIUS KAHN.

Managers on the part of the House.

PROCEEDINGS OF EXECUTIVE SESSIONS.

Mr. KENYON. Mr. President, I desire to make a parliamentary inquiry. A few days ago, during the period when the Senate was taking recesses from day to day, I submitted a resolution somewhat similar to the resolution submitted this morning by the Senator from Wisconsin [Mr. LA FOLLETTE]. That resolution was ordered to lie on the table. My impression is that at this time that resolution will come before the Senate. That is the inquiry I desire to make.

The VICE PRESIDENT. When a resolution is submitted and goes over under the rule the present occupant of the chair has decided that it is the duty of any Senator who wants to call it up to do so before the conclusion of morning business.

Mr. KENYON. I ask, then, that there be taken up at this time the resolution submitted by me with reference to open executive sessions of the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which the Secretary will state.

The Secretary read the resolution (S. Res. 191) submitted by Mr. KENYON on May 9 (calendar day, May 12), 1916, as follows:

Resolved, That it is the judgment of the Senate that all executive sessions shall hereafter be open to the public, except when treaties are considered, or when the Senate by unanimous consent orders otherwise.

And the Committee on Rules is directed to prepare such amendments to the present rules, or to prepare new rules, or both, as may be necessary to carry out the terms of this resolution, and present the same to the Senate for action thereon.

Mr. WALSH. Mr. President, I have an impression that the Senator from Missouri [Mr. STONE] desired to be heard upon the motion to consider the resolution. However, I see the Senator is now present.

Mr. SMITH of Georgia. Mr. President, under the rules that resolution must go over until to-morrow.

The VICE PRESIDENT. It did go over on a previous day.

Mr. KENYON. I will say to the Senator it went over some days ago.

Mr. SMITH of Georgia. Under what circumstances is it now being called up?

The VICE PRESIDENT. It is called up under the right of a Senator to call up a resolution which he has submitted when it has gone over under the rule.

Mr. SMITH of Georgia. I thought it had already gone over.

Mr. KENYON. It was submitted and went over some days ago.

The VICE PRESIDENT. The resolution was not submitted to-day; it was submitted on a former day.

Mr. LA FOLLETTE. I will say to the Senator that it is not the resolution submitted by me, but the one submitted by the Senator from Iowa.

Mr. KENYON. Yes. It is the resolution submitted by me.

Mr. SMITH of Georgia. I beg pardon. I heard read a similar resolution submitted by the Senator from Wisconsin [Mr. LA FOLLETTE] a few moments ago, and I thought that was the resolution now being called up.

Mr. KENYON. Mr. President, I submitted a resolution similar to this two years ago, at which time there was a motion to table it, and I assume that that motion will probably follow to-day. I am simply anxious to get a record vote. It seems to me that, after the experience of the past, we may as well have executive sessions, except as to treaties, in the open. Nominations are coming along for the consideration of the Senate, which ought to be considered in the open, and I do not know why we should longer continue to consider nominations in secret sessions of the Senate.

Mr. WALSH. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Montana?

Mr. KENYON. I yield the floor.

Mr. WALSH. I rose to inquire when the resolution to which the Senator from Iowa has addressed his remarks was introduced.

Mr. KENYON. I submitted a resolution during the period when we were recessing from day to day—on the legislative day of May 9, calendar day of May 12—and asked that it lie over.

Mr. STONE. Mr. President, I was called out of the Chamber for a moment by a visitor, and I desire now to inquire how this resolution, which was submitted on the legislative day of May 9, with a request that it lie on the table, gets before the Senate, if the Chair please?

The VICE PRESIDENT. It gets before the Senate because the Senator from Iowa has called it up. Prior to the time when the present occupant of the chair assumed the duties of presiding officer it had been held—perhaps not held, but it had grown into a custom—that when a resolution was introduced on one day it should lie over until the succeeding day, and then it was

automatically laid before the Senate. Upon an examination of the rules at the last session of the Congress, the present occupant of the chair decided that there was not any rule which required the Chair automatically to lay before the Senate resolutions which were introduced and which went over under the rule, but that it was the duty of the Senator submitting the resolution, when he wanted to call it up, to call it up of his own motion. That has been the ruling of the Chair since that time.

Mr. GALLINGER. Mr. President, a word on that point. By reference to page 9 of the Manual there is a note:

On motion by Mr. Hoar, *Ordered*, That until otherwise ordered, the Chair shall proceed with the call for resolutions to be newly offered before laying before the Senate resolutions which came over from a former day.

It has been because of that order, to which the Senate agreed, that the custom has been heretofore that resolutions would be laid before the Senate after new resolutions had been acted upon.

The VICE PRESIDENT. The Senator from New Hampshire states it accurately; but the Chair has a very distinct recollection of a period in the Senate when there were some six or seven resolutions laid down every morning with the request that they go over without prejudice, and finally the Chair announced that they would not be laid down unless they were called up.

Mr. GALLINGER. It seems to me that that is quite a fair proposition, because any Senator can make the request, and the resolution will be laid before the Senate.

The VICE PRESIDENT. Yes. The Chair thinks there is no doubt about the right of a Senator to call up such a resolution.

Mr. STONE. Mr. President, this resolution is before the Senate on the motion or call of the Senator from Iowa. Am I correct in that?

The VICE PRESIDENT. The Senator from Iowa called this resolution before the Senate, and it is now subject to parliamentary procedure. It is subject to a motion to send it to a committee or to be laid on the table, or otherwise.

Mr. STONE. I inquire of the Senator from Iowa just what his purpose is in calling it up now? Is it to debate the resolution?

Mr. KENYON. I should like to have it passed. I do not myself care to spend any time debating it. A similar resolution was before the Senate a year ago.

Mr. STONE. In view of that statement, I move that the resolution be referred to the Committee on Rules.

Mr. BORAH. Mr. President, is that motion debatable?

Mr. STONE. I presume it is.

The VICE PRESIDENT. Let us see—

Mr. SMITH of Georgia. Mr. President, will the Senator from Idaho permit me a moment?

Mr. KENYON. Mr. President, I make the point of order that a resolution directing the Committee on Rules to do certain things can not be referred to the Committee on Rules in the very nature of the situation.

The VICE PRESIDENT. The Chair will be compelled to overrule that point of order. This body can do anything it wants to do.

Mr. SMITH of Georgia. I desire to make an inquiry, with the consent of the Senator from Idaho. Is the ruling of the Chair that the Senator introducing a resolution may call it up the morning thereafter or on any morning thereafter?

The VICE PRESIDENT. Any morning thereafter.

Mr. SMITH of Georgia. Any morning he sees fit to do so?

The VICE PRESIDENT. During the morning hour just before the conclusion of morning business, provided morning business has not closed.

Mr. BORAH. Mr. President, I am not going to discuss this matter at length, but I wish we might have a vote upon the resolution direct, instead of sending it to a committee. Without challenging the good faith of the Senator from Missouri, nevertheless the sending of the resolution to a committee means that it is to be indefinitely postponed, and we are not to meet the issue squarely, as we can do if we have a direct vote here at this time.

Mr. President, I have long been an advocate of open sessions with reference to all nominations and with reference to all treaties, save a very limited class of treaties. Commercial treaties and such treaties as we have lately consummated with Nicaragua and that class of treaties ought to be considered in the open. In the first place, practically all our work with reference to executive matters is done in the open. The hearings are had in the open; the newspapers discuss the matter; and it is a mere form when we come here and ourselves proceed to hold executive sessions. The subject matter is thoroughly discussed

and thoroughly before the public, and the public has the entire matter, except the debates, which might take place here in the Senate.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. BORAH. Yes.

Mr. CLAPP. Judging from what I noticed in the morning press, there is some question as to the Senator's last statement, because the reasons that were given in executive session yesterday are alleged to be given in the press this morning. So even the discussion does, in a measure at least, become public.

Mr. BORAH. I think any Senator here would agree with me that the reports that go to the newspapers upon these matters in executive session are very inaccurate and insufficient to represent any Senator in his views.

Mr. CLAPP. Will the Senator pardon another interruption?

Mr. BORAH. Yes.

Mr. CLAPP. Is not that just one of the vital reasons why we should have open sessions—in order that the public, instead of having an account of debate which may not be full or do justice to Senators, may have an exact account of what has taken place?

Mr. BORAH. I quite agree with the Senator, and that was to be my contention.

Mr. CLAPP. Then I am sorry I interrupted the Senator.

Mr. BORAH. No; I am very glad to be interrupted. But we have had the matter before us at one time and another for the last two or three years, and there is no reason why we should send it to a committee. Every Senator here, perhaps, has made up his mind on the matter. We are just as well advised as to what we want to do individually as we will be after it has gone to a committee and the Senator from Wisconsin presents his resolution in a few days. We might just as well, so far as the information and the conclusion of the Senate is concerned, vote now as a month later. I therefore hope that we will have a vote directly, and that we will open these regular sessions upon all subject matters save a very limited class of treaties.

Take the discussion which took place here yesterday. There were votes cast which were presumed to have been cast for certain reasons, but which were not, in fact, cast for those reasons at all, but for other reasons. The vote is there, and represents the final action of the Senator; but his reason for casting that vote is not there. The public is entitled to have it. The Senator is entitled to have it before the public; and there is nothing to be gained, either in the public welfare or in the interest of the man seeking the nomination, by a closed session.

I have never understood why a man seeking an appointment to an important office should not be subjected to a public debate and consideration of his qualifications, just the same as a man who is running for office; and it is fair to the man seeking the office as well as fair to the public. If I were a candidate before this body for a position, I certainly should desire to know some of the reasons or all of the reasons which were assigned for and against me, and especially those against me. It is not unfair to the candidate, as is sometimes supposed, but peculiarly fair, that he be considered in the open and that his qualifications there be discussed, and any man qualified to hold public office and fit to hold public office should be glad to have his qualifications presented in public rather than in private.

I sincerely hope the matter will be voted upon.

Mr. VARDAMAN. Mr. President, I have always felt that the secret or executive session of the Senate was not in keeping with the genius and spirit of our Government. It is based upon the theory that certain things must be kept from the people—that it is not well that the people should have information touching certain affairs pertaining to their own Government, which to my mind is an untenable position to assume.

It comes down to us from an age when the ability of the people to rule themselves was doubted by the rulers by Divine right. A theory of government so at variance with our system that any custom that even smacks or savors of it is out of joint with the spirit of the times.

Now, I have never done anything in the performance of my official duties in all my life—and I dare say the same is true of a majority of my colleagues, the Members of this body—that I desired to keep concealed from my constituents. I have infinite faith in the sense of justice and the capacity for discrimination of the people whom I have the honor to represent in this Chamber. They are just as capable of self-government as I am capable of governing them.

There is nothing in the world so purifying in politics as the sunlight of publicity. It is no reflection upon the patriotism or integrity of any man to say that he is more circumspect and careful about what he may say or do when he knows the eyes

of the world are fixed upon him than he would be when walking in the shadows. It is human nature to be that way.

As has been so well stated by the able Senator from Idaho [Mr. BORAH] the men whose characters and reputation are subjected to the acid test of criticism to which they are subjected in the consideration of nominations in executive sessions are entitled to know what is said about them. And the Senator who analyzes and criticizes the character of the nominee ought to desire that his reasons for his opposition or his excuse for criticism should be given the public.

The information which influences the action of the Senator in casting his vote is a matter of public concern and therefore the people have a right to know it. I can scarcely conceive of a measure which is likely to be considered by this body wherein public interest demands that the discussion shall be withheld from the people. The people ought to know what we are doing here, how we do it, and the reasons that we have for doing it.

If I had my way about it I would take the doors from the hinges of this Chamber, and I would let the public look in on us and hear our discussions and share with us, from the galleries, our deliberations.

Long before I came to the United States Senate I held to these views, and time and experience have only served to deepen my conviction on the subject and to vindicate the correctness of first impressions. I could not understand then why my Senator should desire to withhold from me his reasons or excuse for anything he might do in the performance of the functions of the place which I, by my vote, had commissioned him to perform.

And I agree with the able Senator from Idaho, further, that this matter ought to be settled now. There is no reason or excuse for delay. Senators have made up their minds. I should say they are ready to vote, and I am in favor of bringing the question to an issue at once rather than sending it to its death in the Committee on Rules. I think the proposed plan is a very moderate and proper treatment of the subject. All necessary safeguards will be thrown around it by the Committee on Rules to prevent the possibility of anything imprudent or radical being done, and I sincerely hope we may get a vote on it this morning.

The antiquity of the rule or custom which is to be repealed or abrogated is entitled to no special consideration because of its age. Time does not impute to it sanctity or eliminate from it in any way the inherent errors of the system.

Mr. SMITH of Georgia. Mr. President, the resolution is in bad form. You can not amend the rules in that way. The rules specifically prescribe the way in which they must be amended. You can not pass a resolution here instructing the Committee on Rules to get up a rule. You could pass a resolution expressing the sentiment of the Senate, but you can not instruct the committee to prepare a particular rule except by recommending a pending measure—

Mr. KENYON rose.

Mr. SMITH of Georgia. Let me proceed a little further. You can not amend the rules in the way proposed. The rules specifically provide that amendments must be made first by written notice of a Senator that he intends to offer an amendment to a particular rule, designating the rule, and designating the nature of the amendment. Then, one day later, he can offer the amendment itself.

Mr. KENYON. Mr. President—

Mr. SMITH of Georgia. I yield for a question.

Mr. KENYON. I only want to say that that exact question was raised when this matter was up before, on a point of order, and decided by the Chair.

Mr. SMITH of Georgia. Mr. President, I do not yield for a statement. I decline to yield under any circumstances for a statement from anybody, because, under the ruling of the Chair, that takes the speaker off the floor.

Mr. KENYON. I ask, then, if it is not true that the resolution merely recites and expresses the judgment of the Senate, and instructs a committee of the Senate?

Mr. SMITH of Georgia. Mr. President, I do not concede the right of the Senate to act in any such way. Suppose you send that to the committee, and the committee did not want to get up a notice in response to it, and did not want to introduce a rule for you—you are absolutely helpless. Why, we have a rule that there shall be no publicity as to what takes place in executive sessions, and a Senator gives it out. If a Senator can disregard a solemn rule of that sort, how can you, by resolution, instruct the Committee on Rules to prepare for you a notice, and to prepare for you an amendment to the rules?

I will go one step farther. I am not sure that I will not support a rule of this kind. I am a good deal inclined to desire that practically all of our discussions, except where necessarily

private on account of foreign relations involved should be in public. I would vastly have preferred to have had my reasons for voting against the nominee yesterday published and printed in the Record. I should have been gratified to see them in the Record this morning. If I vote against the confirmation of anybody else in the Senate, I should be glad to see the CONGRESSIONAL RECORD publish my reasons for it, because, if I vote against a man, I have reasons that are satisfactory to me, and I am willing to be judged by my reasons. We have another nomination coming up soon which has attracted much attention. I should be glad to see that nomination debated in public. I so state now.

If the Senator will prepare his notice in proper form, and introduce his resolution proposing to amend the rules, it will not be buried in the Committee on Rules. The committee may report adversely on it, but we will bring you out a report and give you a chance to take it up in an orderly way on the floor of the Senate, under the rules. The Senator is simply wasting his time on this resolution. He will make no progress. I am always in the Committee on Rules when they meet. I say to the Senator that if he introduces such a rule I will call it up at the first meeting, and we will bring in a report on it, just as we brought in a report to-day on Senate procedure looking to a limited cloture.

I do not think the Senator will make any progress by this resolution. I shall vote against it, because I do not think the Senate has any authority to direct us to prepare legislation for it, or to prepare a rule for it. I do not think that that is the proper way to undertake to treat a committee—to direct them to get up a rule for you. You are proposing to do this by resolution when the rules forbid the presentation of an amendment in such a way. But if you present an amendment to the rules as the rules require I have no doubt it will be speedily acted upon by the Committee on Rules. I am sure the Committee on Rules would be glad to report it, and I am very much disposed to vote for it.

Mr. OWEN obtained the floor.

Mr. STONE. Mr. President, I am obliged to leave. Will the Senator allow me to make a request?

Mr. OWEN. Certainly.

Mr. STONE. I have an engagement at 1 o'clock that I can not neglect. I should like an opportunity to say something on this resolution, and I request this much: The debate can go on, but I request that the matter be left open and not voted upon until later.

Mr. OWEN. Until to-morrow?

Mr. STONE. Until to-morrow or any subsequent time.

Mr. OWEN. I ask unanimous consent that it may be voted on to-morrow.

Mr. KENYON. What was the request of the Senator?

Mr. SMITH of Georgia. Mr. President, I think we might very well dispose of this matter now, unless the Senator from Missouri wants to speak on it, by a motion to lay it on the table.

Mr. STONE. Mr. President, I can not vote on anything, as I am obliged to leave now to fill an engagement at 1 o'clock, and I merely ask that the motion be not voted upon.

Mr. KENYON. Until to-morrow?

Mr. OWEN. Mr. President, in yielding the floor to the Senator from Missouri I did not yield to make a motion to lay on the table.

Mr. STONE. No; and I do not want to make a motion to lay on the table.

Mr. OWEN. I know the Senator did not wish to do that.

Mr. STONE. No; I wish the matter debated, and I wish to debate it myself; but I can not stay here now. My request to the Senate is, after you have debated it here as long as you please, that it may go over until to-morrow or any later day; I do not care.

Mr. SMOOT. I will say to the Senator that if it is debated until 2 o'clock, of course it will go to the calendar.

Mr. STONE. Well, I am not particular. I simply do not want the matter closed up to-day. I would be very glad to close it to-day as well as at any other time, except that I am compelled to go.

Mr. OVERMAN. Mr. President, if the Senator from Oklahoma will yield to me for a minute, I want to suggest that there is another resolution—

Mr. OWEN. I do not wish to yield the floor or to take any step that would result in my yielding the floor.

Mr. OVERMAN. No; I simply want to make a suggestion to the Senator himself.

Mr. OWEN. I yield for that purpose, if it does not deprive me of the floor.

Mr. OVERMAN. There is a resolution here submitted by the Senator from Wisconsin [Mr. LA FOLLETTE] of a similar charac-

ter, and I think both of them ought to be considered together. The resolution of the Senator from Wisconsin does not come up until to-morrow.

Mr. LA FOLLETTE. It does not come up to-morrow, unless I call it up, under the rule.

Mr. OVERMAN. Yes; that is what I mean.

Mr. LA FOLLETTE. And the Senator's suggestion brings it up to-morrow, whether I am ready to call it up or not.

Mr. OVERMAN. I thought the Senator would want to call it up and have it considered at the same time.

Mr. LA FOLLETTE. I want to call it up when I am ready to call it up.

Mr. OVERMAN. If the Senator wants to call it up at a different time, very well.

Mr. OWEN. Mr. President—

Mr. KENYON. Mr. President, will the Senator from Oklahoma yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Iowa?

Mr. OWEN. For a question or a suggestion that does not affect my parliamentary status.

The VICE PRESIDENT. The Senator from Oklahoma had some unfortunate trouble the other day which the Chair is sorry for. We are not now enforcing what the Chair thought was the rule.

Mr. OWEN. I yield to the Senator from Iowa.

Mr. KENYON. I was going to say, in the line of a question, that I should be glad to do anything that would accommodate the Senator from Missouri; and I wondered if we could have a unanimous-consent agreement to vote on the passage of the resolution itself to-morrow at 1.30? He desires to have it go over until to-morrow, and I would like to accommodate him. I ask unanimous consent that to-morrow at 1.30 we vote on the original resolution which I introduced.

Mr. BRANDEGEE. Mr. President, I have no objection to fixing a time to vote, but if the request is agreed to in that form it may be that the Senate will be driven to a vote without any opportunity for any debate whatever, simply because the hour of 1 o'clock arrives; that is all. I do not intend to debate the question, but some other Senator—

Mr. KENYON. Would the Senator prefer 1.45?

Mr. BRANDEGEE. If the Senator will ask unanimous consent that at 12.30 to-morrow or 12 o'clock to-morrow the Senate shall proceed to consider this resolution and that at not later than 1 it shall vote upon it, that would give opportunity for some five-minute speeches; but the Senator's request is—

Mr. LODGE. Mr. President, I suggest to the Senator that, in view of what the Senator from Missouri [Mr. STONE] has said, it is hardly right to press a request for unanimous consent in his absence.

Mr. KENYON. I am trying to accommodate the Senator from Missouri.

Mr. LODGE. I know it.

Mr. KENYON. Therefore I suggest that the resolution go over until to-morrow and that it be voted on then.

Mr. LODGE. I think it would be better to accommodate him in another way.

Mr. KENYON. If the Senator knows his way—

Mr. LODGE. I can not speak for him. I have no desire to debate this matter at any length myself. I am perfectly willing to join in a unanimous-consent agreement to vote; but the Senator from Missouri said he wished to debate the resolution, and he has just left the Chamber. I think the Senator had better reserve the request for unanimous consent until to-morrow, when the Senator from Missouri can be present.

Mr. LANE. Mr. President—

Mr. OWEN. I decline to yield the floor further.

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

Mr. LANE. I should just like to ask a question.

The VICE PRESIDENT. The Senator from Oklahoma has declined to yield the floor, and he has it.

Mr. KENYON. I will withdraw my request, on the suggestion of the Senator from Massachusetts. I was only making it to accommodate the Senator from Missouri.

Mr. OWEN. I shall take only a minute or two. I do not think the debate will change many votes in the Senate. I am in favor of instructing the Committee on Rules in accordance with this resolution, because I should like to see the debates of the Senate wide open. There are some treaties in which foreign affairs are concerned which I think should be considered in executive session under the old rule, where the dealings with foreign nations might be affected by our debate. Outside of that I should like to have the American people look

down into the heart of the Senate and see everything which transpires here. I believe that is in the interest of public order and public welfare.

I do not feel quite willing to let the statement made by the Senator from Georgia go as acquiesced in that the Senate has no right to instruct the Committee on Rules. The Senate has a right in my opinion to instruct the Committee on Rules. That committee might exercise the right to refuse the instruction, and the Senate might exercise its authority to abolish that committee, and be entirely within its rights; and I think it would be justified in abolishing the committee when the committee refused to exercise the duty imposed upon it by the Senate. I say that, of course, merely as my opinion of parliamentary procedure, not with any view whatever to rebuke any committee or suggest anything of the kind.

I do not think that debate would change many votes on this question, but I should like to have it acted upon to ascertain what is the view of the Senate as to whether we shall have open session or shall not; and I ask unanimous consent that on to-day a week at 1 o'clock this resolution may be voted on.

The VICE PRESIDENT. Is there objection?

Mr. JONES and Mr. WILLIAMS. I object.

The VICE PRESIDENT. There is objection.

Mr. KENYON. I wish to ask unanimous consent that at 12 o'clock and 15 minutes to-morrow we take up this matter and proceed with it and vote, if possible. That will accommodate the Senator from Missouri.

Mr. SMOOT. I suggest to the Senator from Iowa that he has a perfect right to call it up immediately at the close of the morning business.

Mr. SIMMONS. I could not hear what the Senator from Utah said.

Mr. SMOOT. I suggested to the Senator from Iowa that it is a privileged question; that he can call it up immediately after the introduction of resolutions and before morning business is closed; and I do not see any necessity of making that request. He has it in his own hands.

Mr. LODGE. Mr. President, I think the Senator is mistaken about this being a privileged question. It goes to the calendar, and then the Senator has a right to move to take it up.

Mr. SMOOT. It goes to the calendar at 2 o'clock.

Mr. LODGE. Yes.

Mr. SMOOT. If debated until 2 o'clock to-day; but it will not go to the calendar if laid aside now by unanimous consent.

Mr. LODGE. Certainly not.

Mr. KENYON. That is why I asked for unanimous consent.

Mr. LANE. Before the matter closes I wish to say that I spoke to the Senator from Missouri before he left the Chamber. He has asked for time to debate, and I think he or any other Senator ought to have ample time. I would not like to set a definite hour for a vote without giving the Senator from Missouri an opportunity to be heard. All I ask is that the Senator from Missouri and others may have an opportunity to discuss this question.

Mr. SIMMONS. Mr. President—

Mr. KENYON. The request does not pertain to time.

Mr. LANE. It limits the time to half past 1.

Mr. KENYON. It is to commence at 12.15, to take the matter up at that time.

Mr. LANE. And come to a vote.

Mr. LODGE. I suggest to the Senator from Iowa that if he will ask that the resolution may go over without prejudice he can call it up himself at any time.

Mr. KENYON. That is satisfactory to me.

Mr. LODGE. That would leave it in his own power to call it up at any time.

Mr. WILLIAMS. What is the request?

The VICE PRESIDENT. The request of the Senator from Iowa, as the Chair understands it, is that the resolution go over without prejudice, that he may call it up to-morrow or any succeeding day, if he chooses to do so, at the conclusion of the morning business.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry. Would that interfere with a motion to send the resolution to the Committee on Rules?

The VICE PRESIDENT. That will be the pending motion when it comes up.

Mr. SIMMONS. When I rose I misunderstood the request of the Senator from Iowa. I understand the Chair now to say that it is nothing more than a request that this matter shall be laid before the Senate to-morrow at half-past 12 o'clock.

The VICE PRESIDENT. No; the request is that it shall go over without prejudice. If the Senator from Iowa chooses

to call it up to-morrow he will have a right to call it up at the conclusion of the morning business.

Mr. SIMMONS. It does not give it any special privilege?

The VICE PRESIDENT. No special privilege beyond that.

Mr. GALLINGER. Mr. President, without committing myself either for or against this resolution, I submit a proposed amendment which I will ask the Secretary to read.

The VICE PRESIDENT. The proposed amendment will be read.

The SECRETARY. On line 4 strike out the words "unanimous consent orders otherwise" and insert "two-thirds vote shall otherwise order," so that if amended it will read:

Resolved, That it is the judgment of the Senate that all executive sessions shall hereafter be open to the public, except when treaties are considered, or when the Senate by two-thirds vote shall otherwise order.

Mr. UNDERWOOD. Mr. President, this resolution may be considered in the future or it may not. I do not know what disposition the Senate is going to make of it. Therefore I wish to occupy the time of the Senate for a few moments in stating my own views in reference to the matter.

In recent years there has been a great deal said about business transacted behind closed doors. There is some justice in what has been said and there has been a great deal of farce play for the benefit of the public on this question.

I remember a year or two ago when I had some part in making up the committees of the House it was determined that the Progressive Party in the House should have a right to name so many men on each committee of their own selection, of course, to consult with the party in power as to the individual selections. The representative of that party called on my office and presented a list of the committeemen that he was in favor of and that his party had agreed on to see if it met with the approval of my party. They were promptly agreed to. Then the day afterwards an open caucus of the party was called and the men who had already been agreed to were agreed to in open session. Some time afterwards when I heard that gentleman abusing sincerely the Democratic Party for holding its sessions behind closed doors I could not but feel that a great deal he said was for the benefit of the public and not in the interest of pure government.

But I think the question that is presented by the Senator from Iowa comes to a point where it deserves the sincere consideration of the Senate. I can understand the reasons why the men who wrote the rules of the Senate provided that nominations sent by the President of the United States shall be considered in executive or secret session. I can understand why they thought it wise to provide, as the Senate rule provides, that we might consider these questions in executive session. They may have feared that the power of the Executive was such that the Senate could not exercise an unbiased judgment in accepting or rejecting a nomination if it was considered in public. They may have felt that the consideration of treaties in secret session was necessary in order that we might protect the great interests of the United States.

If that were so, if that condition existed and possibly might continue to exist, I might be inclined to vote against a resolution of this kind and to vote in favor of continuing the secret sessions or the so-called secret sessions of the Senate for the benefit that might be derived by the American people from those sessions growing out of the independence of action of Members of the Senate.

So far as I am able to judge a secret session of the United States Senate is simply a farce. As far as I know there has never been in recent years a secret session of the United States Senate upon any matter that anybody on the outside wanted to find out about 15 minutes after. The only distinction that I see between the so-called secret session of the Senate and the open sessions of the Senate is that what is said in the executive sessions of the Senate is not taken down by the reporter at the desk and printed in the Record. Aside from that, there is no secrecy.

Of course, there are a great many nominations that go through here in secret session when no one is advised as to how the votes are cast, because nobody cares to inquire. It is not of such vital importance that it is of interest to anybody to know what occurred. But where there is a matter of interest it is either given out by the unanimous consent of the Senate, as it was yesterday, and properly, or it is given out without the unanimous consent of the Senate. To those men who desire to observe the rules of the Senate, to live up to the obligation of a Senator in keeping its rules, I think a secret session of the Senate is very unfair, because their mouths are closed in honor; they do not divulge what happened. The man who rejects the idea of a secret session, who believes that it is wrong, who

desires in his heart to repudiate it and intends to repudiate it by immediately disclosing what has happened so that it can not be a secret session, has all the advantages of the situation, because he discloses what happened from his partisan standpoint, and the man who obeys the rule of the Senate is foreclosed from discussing the question.

Therefore, I say in common fairness to the Members of the Senate, in order that each one of us may have the same opportunity before the public, that our motives may be judged from what we do and say ourselves and not from what some other partisan who is opposed to us says we do and say, I shall vote for this resolution to no longer have a secret session for the confirmation of nominations, to no longer give anybody an opportunity to hide behind a claim that something happened in a secret session that honorable men are foreclosed from denying.

Mr. NORRIS. Mr. President, I shall favor the amendment that has been offered by the Senator from New Hampshire [Mr. GALLINGER], but I want also to offer another amendment to the resolution of the Senator from Iowa.

The VICE PRESIDENT. The Chair would like to have an understanding about the request of the Senator from Iowa as to whether there is any objection to the resolution going over without prejudice.

Mr. NORRIS. I do not want it to go over just at this minute, taking me off the floor. I have no objection to its going over, however.

Mr. KENYON. I ask the Senator if he has any objection to the resolution going over?

Mr. NORRIS. I have not any objection to its going over, but I thought as I had the floor it was hardly proper to take me off the floor.

The VICE PRESIDENT. The Chair is not trying to take the Senator from Nebraska off the floor. The Chair has been trying to meet the request of the Senator from Iowa, if it could be met within the time; that is all.

Mr. KENYON. I will state to the Senator from Nebraska that if the debate continues until 2 o'clock, the resolution will go to the calendar.

Mr. NORRIS. I will yield the floor if there is any question about it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa? The Chair hears none, and the resolution goes over without prejudice.

WOMAN SUFFRAGE.

Mr. BORAH. Mr. President, out of order I ask leave to have printed in the Record, in view of the precedent established by the Senator from Utah [Mr. SUTHERLAND], some resolutions which were passed at a mass meeting in my home city, Boise, Idaho, on the 9th day of May, 1916; and, as these resolutions call upon me particularly to do something that I am unable to do, I ask to have printed in the Record in connection with it as a reply my letter in answer to it.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. I ask that the resolutions and the communications be read before going over.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

Resolutions unanimously passed at a mass meeting of citizens of Boise, Idaho, at the Pinney Theater, May 9, 1916.

Whereas we, citizens of Boise, Idaho, May 9, 1916, realizing that never in history has it been possible to build a contented nation half free and half disfranchised; and

Whereas the present interstate discrimination against the political rights of women can be ended only by the passage through Congress of a Federal suffrage amendment; and

Whereas our representatives in the lower House of Congress have been denied the opportunity of voting upon this amendment: Be it

Resolved, That we protest against the action of the House Judiciary Committee in unfairly blocking the passage of the Susan B. Anthony Federal suffrage amendment and demand of it an immediate favorable report that it may be voted upon during this session of Congress: Be it further

Resolved, That we call upon Senator Borah to work and vote for the passage of the amendment in the Senate: Be it finally

Resolved, That a copy of these resolutions be sent to the leaders of the administration, the members of the Judiciary Committee, and to the Members of the Idaho congressional delegation, with the request that it be read into the CONGRESSIONAL RECORD in the Senate by Senator BORAH and in the House by Congressman McCracken.

Alice Pittenger, Chairman.

MAY 15, 1916.

Mrs. Alice Pittenger,
Boise, Idaho.

MY DEAR MRS. PITTENGER: I have just received a copy of a set of resolutions passed at the Pinney Theater May 9, 1916, touching the subject of the proposed amendment to the Constitution providing for woman suffrage.

I shall be pleased to present this and other resolutions of similar import at the proper time (as the petition of the people responsible for the passage) to the Senate.

In the resolutions it is said "*Be it further resolved*, That we call upon Senator BORAH to work and vote for the passage of the amendment in the Senate," etc. Upon this subject my views are perfectly well known to those passing the resolution. I arrived at those views after as thorough consideration as I could give to the subject. I explained those views at length in the Senate and again to the women of my State when at home last summer. I need not burden you with repeating them. Suffice it to say that time and further consideration leave me in no doubt as to the correctness of my position. I beg to state, therefore, with the utmost consideration for those who hold a different view that in this matter my judgment is not subject to change. There are questions of Government so vital and controlling in this matter and upon which I have held such settled views that I could not give you such assurance as you desire and as I personally would like to do of either working or voting for this amendment. I do not think it is in the interest of the suffrage cause itself and I am sure that it is not in the interest of good government that we should rob the States of the power, vital and indispensable to their integrity, of determining who, within their respective borders, shall exercise the right of franchise. Holding the views I do you would not respect me and you would certainly come to have a certain contempt for a Senator who should slavishly surrender his convictions on so vital a matter. I feel, therefore, I at least choose as a matter of personal pride and self-respect to assume, that you do not expect me to change my views after having so often and so fully stated my convictions against this amendment. I would like the people of Idaho to feel that I want to serve their interests, but I want them to feel also that I entertain convictions of my own as to how best to serve those interests, and that I can not out of mere personal consideration exchange those convictions for other views until I am convinced that I am wrong. I am not convinced in this instance.

Following in the wake of those who lately visited our State in the interest of this amendment a great number of resolutions are coming into my office, all clothed in exactly the same language. As it is impossible for me to find the time, as I should like to do, to write them all I take the privilege of making this letter public that they may understand that my failure to answer is not by reason of any want of decision in the matter.

Very respectfully,

W. E. BORAH.

RIVER AND HARBOR APPROPRIATIONS.

The VICE PRESIDENT. Morning business is closed.

Mr. JOHNSON of Maine. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 54) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

Mr. CLARKE of Arkansas. Mr. President, in connection with that motion I call attention to the unanimous-consent order that was taken last Saturday, which made the river and harbor bill the regular order to-day after the morning business had been disposed of or dispensed with. I see no reason why that order should not be executed. That bill has now been before the Senate for more than a week, and unless it is to be treated seriously, as it ought to be, it will be here for several more weeks. I insist upon the regular order.

The VICE PRESIDENT. The Chair was not in the Chamber when that order was made, but there was an order of that kind, and, in pursuance of that order, the Chair lays before the Senate the bill referred to by the Senator from Arkansas.

Mr. JOHNSON of Maine. In view of the statement of the Chair, I withdraw my motion. I will say to the Senator from Arkansas that I was not aware that any such unanimous-consent agreement had been entered into.

Mr. CLARKE of Arkansas. The Senator from Maine will find that the unanimous-consent agreement was ordered on page 7902 of the RECORD of Saturday last.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. CLARKE of Arkansas. I understand that it is the purpose of the Senator from Ohio [Mr. HARDING] to address the Senate on this particular bill, although the regular order would be the reading of the committee amendments.

Mr. JONES. Mr. President—

Mr. CLARKE of Arkansas. Is it the desire of the Senator from Washington to address the Senate?

Mr. JONES. It is.

Mr. CLARKE of Arkansas. That will be satisfactory to me.

MERCHANT MARINE.

Mr. JONES. Mr. President, I do not desire to delay the river and harbor bill at all, but I wish this morning to submit a few remarks with reference to a subject which I think is opportune at the present time. I am therefore going to occupy the time of the Senate for a little while and give Senators an opportunity to get their lunch—an opportunity of which I know they are anxious to avail themselves—and serve a good purpose in that way, if in no other.

Mr. President, I send to the desk a copy of the bill I introduced some little time ago, and which I ask may be read.

The VICE PRESIDENT. In the absence of objection, the bill referred to by the Senator from Washington will be read.

The Secretary read as follows:

A bill (S. 5067) to regulate commerce between the United States and foreign countries, to restore and maintain American ships in the foreign trade, to aid in the national defense, and promote the general welfare.

Be it enacted, etc., That to regulate commerce between the United States and foreign countries, to restore and maintain American ships in the foreign trade, to aid in the national defense, and promote the general welfare, from and after 30 days from the signing of a treaty of peace closing the war now existing in Europe, all goods, wares, and merchandise imported in vessels not admitted to registration under the laws of the United States shall be subject to a duty of 10 per cent ad valorem in excess of the duties imposed by the act of October 3, 1913, and all goods, wares, and merchandise, excepting tea and coffee, so imported which are admitted free under said act shall pay a duty of 5 per cent ad valorem: *Provided*, That the foregoing provisions shall not go into effect as to goods, wares, and merchandise imported in the vessels of those nations with which we have treaties which said provisions contravene until said treaties have been duly abrogated; and the President is hereby directed to abrogate any treaties which would interfere with the taking effect of said provisions in the manner provided by said treaties and without delay.

Mr. JONES. Mr. President, a few days ago the senior Senator from Missouri [Mr. STONE] urged very earnestly the needs of this country for a merchant marine and expressed the hope that early action might be had upon the bill proposed for that purpose. The able and patriotic senior Senator from New Hampshire concurred in the suggestion as to the importance of a merchant marine and called attention to the fact that the Democrats of Congress have uniformly opposed legislation urged for that purpose by the Republicans. It was retorted that the failure to enact this legislation during a period of 16 years should be charged to the Republican Party, because we were in control of the legislative and executive branches of the Government. It is true that we were in control, as the Democrats are in control now.

The building up of our merchant marine is not a party question. It is no more a party question now than it was then, and the mere fact that one party is in control is no excuse for our not acting and does not relieve any of us as individual Senators from the responsibility of doing our duty toward the country and its interests.

There is no difference of opinion as to the importance of building up a merchant marine for this great country. Everybody recognizes that. It is no longer a subject of contention, and every effort should be turned to methods. It is very humiliating that a country of such great wealth, resources, power, and commerce as the United States should be almost wholly dependent upon foreign shipping for the transportation of its world commerce. It is a sorry reflection upon our statesmanship and political sagacity that we have not taken our proper position upon the seas in the transportation not only of our own commerce, but of the world's commerce.

There is no fundamental party difference as to any principle involved. There is no specific platform declaration of either party creating an issue over fundamentals. Our differences are over methods only. Platform declarations have been of the most general character, except the Republican platform of 1896, when we declared for a specific policy for the building up of our merchant marine.

The majority of the Republicans have urged the adoption of legislation similar to that of other countries and known as the subsidy system. The Democrats have opposed that policy, though favoring subsidies in one form or another in almost every other line of governmental activity. Some Republicans have also opposed the subsidy plan, and as a result no legislation which has been of any substantial benefit has been enacted. The Senator from New Hampshire stated, as I remember, that the Democrats, while the Republicans were in the majority, had proposed no legislation. That may be true of the Senate, but it is not correct as to the House. They have suggested and even urged the passage of legislation in accord with the Republican platform of 1896, and, in my judgment, if to-day we would lay aside the thought that this party or that party controls Congress and set aside any influence or interference from the Executive Department of the Government and its departmental heads and seriously begin the consideration of this question as statesmen rather than as partisans we would come into substantial agreement upon legislation that would result in the building up of a great American merchant marine without violating any of the established party tenets of any political organization.

In 1908 the Democratic Party declared:

We believe in the upbuilding of the American merchant marine without new or additional burdens upon the people and without bounties from the Public Treasury.

And in 1912 they declared:

We believe in furthering by continued regulation of commerce the building of a merchant marine for the development and strengthening of the commercial ties which bind us to our sister Republics of the

south, but without additional burdens upon the people and without bounties and subsidies from the Public Treasury.

While the Democrats were in the minority in Congress they urged a policy in accord with the above declarations for the upbuilding of the merchant marine in opposition to that submitted by the Republican majority. What do we hear regarding this policy now? Nothing. It seems to be forgotten. Why? Is it because their habit of violating or disregarding platform promises has become so fixed that when they find a promise they instinctively try to do something different? It would seem so.

When these promises were made they no doubt had in mind the proposition that had been submitted by their Representatives in the House. They now control Congress and the Executive, but they do not propose to follow the policies declared by them when in the minority. They now propose new methods and additional burdens and appropriations of money from the Public Treasury as a method of building up the merchant marine.

It is interesting now to see what the Democratic Party proposed and supported when in the minority, and I want to call this to their attention. In the Fifty-eighth Congress, at the second session, H. R. 7056 was reported by the Republican majority. The Democratic minority submitted a report opposing this bill and advocated their plan of relief. This is what they said:

The merchant marine of this Nation, in its early history, was built up as if by magic by the policy of discriminating duties and tonnage taxes.

There is no suggestion there of a Government-owned line or a Government-operated line or the necessity of the organization of a national corporation for the purpose of handling, purchasing, leasing, operating, and building merchant ships.

It is the only system which has proved successful. All others now proposed are at best mere experiments—guesswork.

I hope, Mr. President, that the suggestions made in this report will be very carefully considered in connection with the proposition which the Democratic majority now submits. Continuing:

We see no insuperable obstacles in the way of its present successful adoption.

The navigation interests of the United States languished before the Constitution was adopted, and one of the principal, if not the most potent factor in bringing about its adoption was the urgent demand for uniform regulations of commerce in favor of our home marine.

In 1789 we were carrying 17 per cent of our imports and 30 per cent of our exports. One of the first acts of the First Congress was to establish a tonnage tax of 6 cents on home vessels and 50 cents on foreign vessels entering our ports and a rebate of 10 per cent of tariff duties on goods imported in American vessels.

Without going into further details of measures passed, the result of this system was that our marine advanced by leaps and bounds, so that in 1794 we carried 91 per cent of our imports and 86 per cent of our exports in American bottoms. This flattering condition continued in unabated vigor, except temporarily during the War of 1812, until high-water mark was reached in 1825, when we carried over 95 per cent of our imports and 89 per cent of our exports.

On the statute books of the United States the discriminating duty system still stands in apparent force, but its vitality has been wiped out by a system of trade conventions with foreign nations by which their vessels are placed on a level with ours in the ports of the United States.

Not to burden this report with details, it may be fairly said these treaties began to take full effect about 1828, and from that time until now our carrying trade has steadily declined. We lost about 1 per cent a year for 30 years, until the Civil War. It revived steadily after the war, but again drooped and dwindled, and under this system we now carry about 9 per cent of our traffic.

Many volumes have been written about these things, torrents of debates have poured forth, and many are the theories presented for our consideration, but the "short and simple annals" of our foreign carrying trade are contained in the foregoing. Theory may be piled on theory, but the simple fact is, experience proves that a moderate discrimination duty will accomplish what we want—and no nation can justly take offense.

The policy of discrimination duties was inaugurated by the fathers of the Democratic Party, and it has recently had the sanction officially of the Republican Party, and it may therefore be justly termed nonpartisan and broadly American. Jefferson and Madison were the authors of our earliest laws along these lines. Adam Smith, the greatest apostle of free trade, declared that protective navigation laws were the one justifiable exception to his proposed system.

The Republican national platform of 1896 said:

"We favor restoring the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, * * * so that American ships may regain the carrying of our foreign commerce."

Mr. McKinley, in his letter of acceptance, said:

"The policy of discriminating duties which prevailed in the early years of our history may be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas are fully attained."

In 1894 Senator Frye proposed in the Senate to abrogate the trade conventions and again inaugurate the discriminating-duty plan of building up our marine, and was supported by Senators Lodge and Higgins and other Republican Senators. In 1897 Senator Elkins delivered an able speech in the Senate advocating this policy.

No one questions the certainty and effectiveness of this discriminating-duty plan, if it should be adopted. While the Democratic Party is

opposed to taxing the general industries of the country in order to give the proceeds to a private enterprise, it is not opposed to encouraging the American marine by a reduction of taxation.

The principal argument offered by its opponents is that we must first abrogate over 20 trade conventions with foreign nations, and that these nations would retaliate against our shipping in their ports, and against our exports, especially foodstuffs.

These conventions all contain provisos that they may be annulled on one year's notice (some of them six months' notice) by either party, and 14 have been so annulled at different times. There is no practical difficulty whatever in the way of annulling them if we so decide. Senator Frye's proposed bill and Senator Elkins's for discriminating duties simply fixed the 10 per cent discriminating duty in favor of American vessels, and then provided that the same should take effect in 15 months, and in the meantime notice of the act should be given to foreign nations.

With reference to retaliation, it may be said we have no foreign shipping now to speak of, hence they can not hurt us in that direction, while we would soon get back at least 50 per cent of our foreign carrying.

But the advocates of the subsidy say foreign nations will retaliate by increased duties against our products. We can not believe that their expressed fears are genuine. To bring about retaliation from a sensible people you must do some harmful, unjust act—you must grab for more than your share—but to adopt a moderate policy of encouragement of our merchant marine in order to get our just share of trade will not provoke a sane man. If we were seeking what rightfully belonged to them, we might expect revengeful measures; but to ask a part of what is ours by all moral standards may call forth their selfish efforts to prevent us from adopting the measures, but no retaliation for purposes of revenge.

The men who see danger in retaliation in discriminating duties are the men who want subsidies. If foreigners were going to retaliate against our foodstuffs, every provocation has been furnished by the Dingley bill. The nation that would stand our almost prohibitive tariffs without retaliation is not going to take offense or umbrage if we adopt conservative measures simply to get a part of our own without the remotest thought of taking anything that belongs to them.

The world needs our products, especially cotton and foodstuffs, and for the welfare of their own people the nations which import our goods can not afford to do anything to embarrass the quick and cheap importation of our products.

One plan of discriminating duties much advocated by the conservative people, and which involves no danger whatever of retaliation, allows all foreign vessels to carry freely between their own countries and the United States, but levies an extra duty when they carry between the United States and other countries. Speaking of this plan, Senator Elkins said, having reference to the South and Central American trade:

"Here is the carrying of nearly \$300,000,000, 90 per cent of which is now done in foreign ships, which if this bill becomes a law, without retaliation or opposition of any kind, will come to our ships, and they can not get it in any other way."

In pursuance of the foregoing views we shall at the proper time move to recommit the bill H. R. 7056 to the committee, with instructions to bring in a bill providing for discriminating duties in favor of American shipping and for the abrogation of any trade conventions which stand in the way of this course.

THO. SPIGHT.
ROBT. W. DAVIS.
ALLAN L. McDERMOTT.
J. A. GOULDEN.
JOHN H. SMALL.
ALFRED LUCKING.

Some of those men are still Members of the House of Representatives. It seems to me that the arguments presented in this report are absolutely unanswerable; they are just as applicable to-day as they were when they were written, and the people of this country will certainly wonder why it is that when the Democratic Party has come into power it disregards entirely the recommendations which its representatives made when they were in the minority.

In the Fifty-ninth Congress, second session, Senate bill 520 was favorably reported to the House by the Republican majority. The Democratic minority submitted a minority report and said, after referring to what they considered defects in the existing laws:

If we would accomplish real and permanent good, let us repeal some and modify existing laws, and if need be return to the policy of discriminating duties which was so eminently successful in the early life of the Republic. Above all things, let us get away from the idea of subsidies and quit encouraging men to believe that they can not do anything without Government aid and teach them lessons of self-reliance.

They now prefer to say to the individual: "You can not do this at all. The Government must do it."

This report was signed by Thomas Spight, J. A. Goulden, H. L. Maynard, SWAGAR SHERLEY, and G. B. Patterson.

During the second session of the sixty-first Congress House bill 16362, amending the American merchant-shipping act, was favorably reported by the Republican majority. A minority report was submitted in which a substitute was proposed, the first and second sections of which read as follows:

That a reduction of duty of 5 per cent of all the customs duties now and hereafter imposed by law shall be allowed on all goods, wares, and merchandise imported into the United States in vessels of the United States, owned and controlled by citizens of the United States, or corporations organized and chartered under the laws of the United States, or of any State thereof and whose stockholders are all citizens of the United States; but said reduction of duty herein provided for shall not apply to cases where goods, wares, and merchandise are transhipped or transferred from a foreign vessel or port or place to a vessel of the United States for the purpose of evading the provisions of the customs laws of the United States. And any and all clauses

in existing treaties with foreign countries in contravention hereof are hereby abrogated, and all acts of Congress in conflict herewith are hereby repealed: *Provided*, That said reduction of duties shall take effect and be in force from and after the time specified in section 2 of this act. The Secretary of the Treasury shall prescribe such rules and regulations as may be necessary for carrying out the provisions of this section.

SEC. 2. That the President shall have the power, and it shall be his duty, to give notice, within 10 days after the passage of this act, to all foreign countries with which commercial agreements have been entered into making any provision or provisions which are in conflict with section 1 of this act, of the intention of the United States to terminate such agreement at a time specified in said notice, which time shall in no case be longer than the period of time specified in such agreements, respectively, for notice of their termination: *Provided*, That until the expiration of the period when the notice of intention to terminate hereinafter provided for shall have become effective, or until such date thereto as the high contracting parties may, by mutual consent, select, the terms of said commercial agreement shall remain in force.

The minority said:

It will be observed that by the first section of this proposed substitute we offer discriminating duties.

We will not enter into any extended discussion of the wisdom of this policy, but will say that the obvious effects of it would be to induce the foreign merchant or manufacturer who desires to ship any dutiable goods to an American importer to send them in a vessel of the United States on account of the 5 per cent rebate. The same inducement is offered to our merchants buying in foreign markets. The great advantage to the shipowner would be that it would help to assure him of a return cargo. At the same time it is a help pro tanto to the shipbuilder, because it encourages the investment of capital in American-built ships, which may engage in either foreign or coastwise trade.

UN SOUND OBJECTIONS.

Two objections have been urged to this policy, neither of which, in our judgment, is well founded. One that it would necessitate the abrogation or amendment of a number of treaties with foreign countries. That, it is provided in the treaties themselves, may be done by giving the specified notice. We have a precedent for this in the tariff law of 1909. Are we not strong enough and shall we not have courage enough to declare a policy of our own?

RETALIATION BY FOREIGN COUNTRIES.

The other objection is the danger of retaliation.

All the commercial nations of the world need what we have to sell. They can not afford to impose unnecessary burdens upon their own people in their efforts to punish us for the exercise of the very right which they claim for themselves. In one respect at least we have the advantage of any other country. We produce the cotton which keeps their factories running, gives employment to their labor, and clothes their millions. They can not get it elsewhere, and there is no substitute. It is inconceivable that England, or Germany, or any other country which manufactures cotton cloth, would put a burden upon our raw material, without which their machinery would stop and their people would suffer.

The second salient feature of this proposed substitute is the "free-ship" provision. It is admitted by all that we have an insufficient merchant marine under the American flag in the foreign trade. We need more ships, and it is claimed that it costs so much more to build them in American than in foreign yards that the difference is prohibitive. While it is true that there is some difference, we are convinced that this difference is exaggerated. We call attention to the recent successful competition of American shipyards with those of the world in securing contracts for the construction of two large battle-ships for the Argentine Republic. Whether or not there is any ground for this contention as to the difference in the cost of construction, the fact remains that we have not the ships, and if our capitalists want to engage in the laudable business of carrying our commerce under the American flag they must be allowed to buy in the cheapest markets. This we propose to do without any tonnage limitations or as to whether the motive power is steam or sail. As a concession to our shipyards, we deny these foreign-built vessels the privilege of coastwise trade.

This was signed by Thomas Spight, J. A. Goulden, Harry L. Maynard, Frank Clark, J. W. Alexander, Rufus Hardy, and R. P. Hobson.

Again in the Sixty-first Congress, third session, H. R. 32127 was favorably reported, the report being submitted by Mr. Hobson. Sections 7 and 8 of this bill read as follows:

SEC. 7. That a reduction of duty of 5 per cent of all the customs duties now or hereafter imposed by law shall be allowed on all goods, wares, and merchandise imported into the United States in vessels of the United States, owned and controlled by citizens of the United States, or of any State thereof, and whose stockholders are all citizens of the United States, but said reduction of duty herein provided for shall not apply to cases when goods, wares, merchandise are transhipped or transferred from a foreign vessel or port or place to a vessel of the United States for the purpose of evading the provisions of the customs laws of the United States.

SEC. 8. That a duty of 2 per cent ad valorem is hereby imposed on all goods, wares, and merchandise now on the free list or that may hereafter be placed on the free list when imported into the United States in ships or vessels not of the United States.

The majority report referred to these and other sections of the bill, as follows:

The second six sections of the bill will produce that large tonnage of cargo carriers that will make us commercially independent. The foundation of the policy is discriminating duties in favor of American bottoms, reductions of rates on goods now dutiable, and the placing of duties on goods now on the free list. This amount of discrimination is so small in both cases—5 per cent of existing rates and its equivalent 2 per cent ad valorem for nondutiable goods—that it can not disturb business conditions. The amount of nondutiable goods affected will decrease in proportion as American bottoms supplant foreign bottoms. The effect upon our revenues will be small, the loss of revenue on dutiable goods, if any, being offset by the gain of revenues from goods now on the free list. In general effect the reduction will coax

European trade and in addition will drive Pan American and Asiatic trade into American bottoms.

Mr. HUMPHREY of Washington, a Republican, submitted a report, in which he said:

The most important feature of the bill is section 8, the discriminating-duty provision. This provision would undoubtedly give us a great merchant marine of cargo carriers. Especially would this be true between this country and South America and between this country and the Orient, the places where we most need ships. This provision is entirely different from the discriminating-duty bills recently introduced in Congress, providing only for a reduction of duties in goods carried in American bottoms. Bills of this latter class are absurdities because of the large amount of our imports now upon the free list. A discriminating duty between here and South America downward of 5 per cent on all goods carried in American bottoms would not be sufficient to run a line of Indian canoes between here and that country. If all our imports from Brazil in the year of 1908, amounting to \$75,577,864, had been carried in American ships, and they had received for that service 5 per cent of the duties paid upon these imports, it would have amounted to the magnificent sum of \$2,877,551. During the first 10 days of November, 1909, seven ships came into the harbor of New York from South American ports. These ships carried a cargo valued at \$2,991,826. These seven ships, for bringing in this amount of imports, if they had received 5 per cent of the duty paid, would have reaped the magnificent reward of \$42.30 each. The period selected for this illustration was selected at random, and is a fair one of the general trade between here and South America. The same conditions exist as to the Pacific Ocean. Take the *Minnesota*, the largest vessel on the Pacific and one that has the distinction of being the only ship beneath the American flag that is running exclusively in the foreign trade without Government assistance. If this great vessel had received 5 per cent of the duty paid upon the goods it carried in the year of 1909, it would have had the great assistance of \$5,262.90. If it had received the same pay in proportion to tonnage and speed as the Japanese vessels that are running in competition with it, it would have received for that period the sum of \$350,000.

But the other provision of section 8 that gives the preference to American ships of 2 per cent ad valorem on the value of goods now on the free list would be an advantage that would give us an American merchant marine. To illustrate: On the 4th day of March, 1910, the *Clement*, of 2,168 tons, brought a cargo into the port of New York from South America valued at \$6,000,000. On November 14, 1909, the *Afghan Prince*, of 4,794 tons, brought a cargo from South America valued at \$1,195,572. All the goods carried by each vessel were on the free list. Two per cent of these cargoes would have been a great reward, sufficient to secure American ships beyond question. In these two illustrations, however, the cargoes are more valuable than the average. This shows in a most striking manner the difference between a discriminating duty of 5 per cent reduction and the discriminating duty of 2 per cent increase. The 2 per cent increase would place the American flag on the seas and would fill the ocean with our ships between here and South America and here and the Orient.

This statement made by him is very significant:

Certainly the country is to be congratulated that only two members of the committee were opposed to section 8.

Two members of the minority, Mr. J. W. ALEXANDER and Mr. RUFUS HARDY, submitted a minority report, in which they said:

Our objections lie particularly in sections 1, 2, 3, 4, 5, and 6 of the bill.

They say:

Section 7 of the bill is substantially the same as section 1, H. R. 21828, Sixty-first Congress, second session, known as the Spight bill. The Spight bill was proposed by the minority members of this committee as a substitute for H. R. 16362, known as the Humphrey bill, and now on the calendar. And we incorporate the views of the minority, in which all the Democratic members of the committee concurred, as filed with that bill as Appendix A hereto, as applicable to the bill under consideration as well as to H. R. 16362 and Senate bill 6708, heretofore referred to, which are both now on the calendar, and we submit the Spight bill as a substitute for the bill reported by the majority.

It will be seen from that, Mr. President, that this committee was practically unanimous in its report upon this bill, so far as its provisions relating to the policy of discriminating duties were concerned.

I call the attention of the junior Senator from Alabama to the bill which I have introduced for the upbuilding of the merchant marine, and ask his powerful aid in its behalf. I know that he is in favor of the principle of it. In another body he urged its adoption in a powerful and comprehensive speech, and after that speech the Democratic Party declared in its platform as follows:

We believe in fostering, by constitutional regulation of commerce, the growth of a merchant marine which shall develop and strengthen the commercial ties which bind us to our sister Republics of the South, but without imposing additional burdens upon the people and without bounties or subsidies from the Public Treasury.

There can be no doubt but that that declaration referred to this policy. Through the efforts of the Senator from Alabama, the principle of this bill was asserted in the Underwood-Simmons Tariff Act; but under a Democratic administration the officers of the United States who are supposed to sustain the acts of Congress, and who have sworn to support the law of the land, have exerted every possible effort against the enforcement of this law, and have done all in their power to nullify it; and a case will be heard in the Supreme Court soon attacking the validity of this law, with the officers of the Government striving to destroy it.

The last public declaration of the Republican Party for the upbuilding of the American merchant marine by a specific policy was as follows:

We favor restoring the American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships, the product of American labor employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans, may regain the carrying of our foreign commerce.

In my judgment both parties are committed to this policy, which was so evidently successful in the early days of the Republic. If Congress would take up this question in a nonpartisan way and free from the dictation of the executive departments, a law could be passed under which we would secure a merchant marine, and which, in my judgment, would be based upon the principle of this bill.

The main objection heretofore urged against it has been that it will involve the abrogation of many treaties and invite retaliation. We have begun the abrogation of treaties in the interest of laws which we deem necessary and beneficial. We did not hesitate to provide for their abrogation in the La Follette seamen law, and the President has already given the necessary notice.

Right there I desire to insert in the RECORD a letter from the Secretary of State, under date of February 25, with reference to this matter, together with a list of treaties, notice of the abrogation of which has been given.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

DEPARTMENT OF STATE,
Washington, February 25, 1916.

Hon. WESLEY L. JONES,
United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, in which you request to be advised "as to the nations that have been notified of the abrogation of treaties under the seamen's law, when the treaties were entered into, and the form of notification."

Complying with your request, I have the honor to inclose herewith a list showing the Governments to which notification was sent, the date of the treaties, and the articles thereof affected, and to inform you that the instructions on the subject to the diplomatic representatives of the United States directed them to say to the ministers for foreign affairs that "pursuant to the provisions of the act of March 4, 1915, the Government of the United States hereby gives notice of its intention to abrogate Articles [number of the articles] of the treaty of [date of treaty] with [name of country] in accordance with the stipulations in the treaty requiring 12 months' notice," such abrogation to take effect July 1, 1916.

While denunciation of a portion of a treaty as required by the act may not, according to international practice, be made, the President nevertheless, using the discretion which he deems was granted to him to interpret the act in the sense contemplated by Congress, instructed the diplomatic officers to propose to the ministers for foreign affairs an arrangement between the United States and their respective Governments which would effect the purpose of the act by the abrogation or mere omission of the articles referred to without affecting the remaining articles of the treaties. I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

(Inclosure: List of treaty articles which the United States has given notice of its intention to terminate under the seamen's act.)

List of treaty articles which the United States has given notice of its intention to terminate under the seamen's act.

Countries.	Treaty.	Article affected.
Austria-Hungary.....	May 8, 1848	4
Do.....	July 11, 1870	11
Belgium.....	Mar. 9, 1880	12
Bolivia.....	May 13, 1858	34
Brazil.....	Dec. 12, 1828	31
Colombia.....	Dec. 12, 1846	33
Do.....	May 4, 1850	3
Kongo.....	Jan. 24, 1891	5
Denmark.....	July 11, 1861	1
France.....	June 24, 1822	2
Do.....	Feb. 23, 1853	8
Great Britain.....	June 3, 1892	9
Greece.....	Nov. 19, 1902	(¹) 12
Italy.....	May 8, 1878	13
Do.....	Feb. 24, 1881	(¹) 13
Netherlands.....	Jan. 19, 1839	3
Do.....	May 23, 1878	11
Roumania.....	June 17, 1881	12
Spain.....	July 3, 1902	23
Sweden and Norway.....	July 4, 1827	14
Sweden.....	June 1, 1910	11
Tonga.....	Oct. 21, 1886	10

¹ Whole treaty.

Mr. JONES. We can abrogate the treaties that shackle us in dealing with foreign trade without giving offense, because the treaties themselves provide for such abrogation.

This is the time to do it. When the European war is over we will find ourselves engaged in the fiercest commercial struggle that any nation has ever faced. These treaties will handicap us and aid our rivals. Other nations will not hesitate then to use every possible commercial device or subterfuge to keep us off the seas or from securing the world markets. It is patriotic wisdom to prepare for the contest by terminating treaties that shackle our people and work only to the advantage of their competitors. If other nations desire to enter into a contest of retaliation, we can face it with equanimity. We will then be able to strike blow for blow instead of taking supinely whatever discriminations they aim at us without any effort at self-defense, as now. This, Mr. President, is the time to act. This is the time to prepare. This is the real preparation that should now excite our people, and that we should make. Instead of inviting trouble by controversies over charges of broken treaties, let us abrogate these treaties and start into the commercial contest that must surely come at least upon a fair and equal basis.

The Democrats should welcome this legislation. They claim to want to build up the merchant marine. They say they need more revenue. The primary purpose of this bill is to build up the merchant marine. Incidentally, it will provide revenue to meet the deficit now confronting us. We ought to have a merchant marine. We must have revenue or go into bankruptcy. Until a merchant marine is built up under this bill it will produce revenue. We can not build a merchant marine immediately. We must have revenue at once. Until an American merchant marine is built up this bill will produce revenue, and as a merchant marine is developed the revenue will decrease. By the passage of this bill we will get the revenue to meet the present emergency. We will fit ourselves to enter upon equal terms the great commercial contests that are sure to come, and we will once more place the American flag upon American built and manned ships upon the seas.

Instead of making the Government particeps criminis in the hellish traffic of manufacturing shot, shells, ammunition, and guns for the slaughter of humanity by sharing in the proceeds from their manufacture, let us use this peaceful and inexpensive means of building up a much-needed merchant marine and secure the revenues necessary for a depleted Treasury.

Mr. President, the great political parties of the country will soon meet. They will issue their platforms. They will declare the principles and policies upon which they will seek the people's approval. The time for equivocation is past. Glittering generalities on this great question should cease. Each party should say something, propose some plan to do what everybody wants done, and what everybody knows needs to be done. If our plan is to be subsidies and subventions, let us say so. If something else, let us say so. The plan proposed in 1896 was rejected because of the treaties involved. Now is the time to get rid of them. A clear-cut and definite plan should be submitted by each party upon which the judgment of the people can be secured after full discussion and consideration. As the situation now is, the Democratic Party should declare for a Government owned and operated merchant marine and the Republican Party should declare for a discriminating duty plan, and I have no doubt of the verdict.

A proposition of that sort is going to be passed by another body. It may be attempted, then, to pass it through this body. It proposes a plan that never has been submitted to the people, that never has been passed upon by the people, that never has had the consideration of the people. It seems to me that the wise course and the proper course to take would be to submit that proposition to the people as a square-cut issue, to be met by a declaration in the Republican platform, and then the voters of this country will declare squarely upon it when election day comes around. The succeeding Congress will then know that the people have taken into consideration the issue raised, have considered it, deliberated upon it, and have passed upon it, and then the Congress can act in accordance with their expressed wishes.

I have some statements here bearing upon this subject. Without reading, I ask that they may be put in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Marine News of January, 1916.]

TO SECRETARY M'ADOO.

Mr. McAdoo, you assert that the only alternative offered to your proposed Government-ownership bill is that of subsidies, that otherwise criticism is destructive and not constructive. Why do you ignore the suggestion of a return to the old policy of discriminating import duties and tonnage dues? It was in more or less force for 61 years, as a result

of which American ships carried an average—mark you, an average—of 80 per cent of our imports and exports for 72 years. It has been recommended to Congress again and again in Democratic minority reports during the 8 or 10 years preceding Democratic control of Congress. It was their invariable alternative to subsidies that Republicans proposed. Men of your party who studied "the shipping question" in committees of Congress advocated a constructive policy, one that had back of it a record of achievement most remarkable and enduring, one that took not a cent from the National Treasury, one that would be sure to add millions of dollars to the National Treasury. Shall we catalogue the Democratic minority congressional reports of recent years in favor of discriminating duties? Did you ever read the speech in favor of that policy delivered on the floor of the House of Representatives by Mr. UNDERWOOD on February 26, 1910, when he was a member of the minority? It is well worthy of your most careful attention. It is sound Democratic doctrine. It has its foundation in the Constitution. It advocated the constitutional method of building up our shipping in foreign trade that the 1912 Democratic national platform advocates. Surely you know that the first bill introduced in the House of Representatives in the Sixty-third Congress by Chairman ALEXANDER, of the House Committee on the Merchant Marine and Fisheries, was a bill providing a discount of the duty on dutiable imports in American vessels, and an ad valorem duty on nondutiable imports in foreign vessels, and instructing the President to serve notice on all nations with which we had terminable trade treaties of our intention to terminate them so as to give effect, full and vigorous and virile effect, to the other provisions of his bill? Would you say that Chairman ALEXANDER introduced a bill of such importance and of such a character without believing that it would receive the support of his party associates—the majority of his committee and the majority of Congress—especially in view of the minority reports in favor of the policy he advocated which Democrats had so often in the preceding years presented to Congress, and which your party platform in 1912 advocated, if what it advocated in respect to the method by which to build up our shipping in foreign trade meant anything? Surely you know that Representative Hobson introduced a discriminating-duty bill in the Sixty-first Congress when Republicans were in control, and that the Hobson bill looked so good to the Republican (the majority) members of that committee that every one of them voted for it, as did all but two of the Democratic members of that committee, and that the Hobson bill of the Sixty-first Congress, in respect to its discriminating-duty features, was almost precisely like the discriminating-duty bill introduced in the Sixty-third Congress, on the first day of its first session, by Chairman ALEXANDER, of the House Committee on the Merchant Marine and Fisheries. Whether you know it or not, you should know it, and that is why we are recalling it to you and to public recollection now. These things are a part of your party's history; they indicate a constructive disposition toward the restoration of American ships to foreign trade, an earnest, prolonged, reiterated, persistent belief in and advocacy of a thoroughly constructive policy by Democrats informed regarding and familiar with the condition and needs of American shipping in foreign trade.

You know that Mr. UNDERWOOD, in accord with his Ways and Means Committee of the House of Representatives, provided for a 5 per cent discount of the duty on imports in American vessels in his 1913 tariff, because even before the bill had passed the House of Representatives you were trying to destroy that constructive policy of your party associates, as disclosed in your correspondence with the State Department, afterwards published as a Senate document. What caused you to do that? Was the foreign opposition so strong that it had to be heeded, and was the American advocacy so weak that it could safely be ignored? If that was not the reason, there are many who think it was. Did Mr. UNDERWOOD cringe in the face of the storm of protest raised by the representatives of foreign Governments in Washington to the 5 per cent discount section of the tariff bill? You know that he did not, however weak-kneed others proved to be. He stood up manfully, courageously, and he refused, and his associates in the House of Representatives joined him in refusing, to strike out that innocent little subsection of the tariff. You know, doubtless you thoroughly know, why the 5 per cent discount subsection went out of the tariff bill so quickly when it reached the Senate. But Mr. UNDERWOOD was able to get it reinserted in the bill when the bill went to conference, and in that form it passed and was signed by the President.

The press of the country asserted that the ink of the President's signature had scarcely dried on the bill before he summoned Mr. UNDERWOOD back from Atlantic City to repeal the 5 per cent discount of the duty subsection of the tariff act. Perhaps you know why Mr. UNDERWOOD went back to Washington so hurriedly, and what passed between him and the President. The press said at the time that President Wilson pleaded with Mr. UNDERWOOD to repeal the subsection, so that thus the representatives in Washington of foreign Governments who violently opposed the bill might be appeased. Whether that is true or not you doubtless know far better than we do. And doubtless you know whether or not, as the newspapers alleged, Mr. UNDERWOOD suggested to the President that he explain in a message to Congress why he (the President) desired to appease the representatives in Washington of foreign Governments and thus overcome their opposition to a measure framed and designed in part to restore American ships to foreign trade, in part to furnish, what you now so loudly and vehemently demand, a naval auxiliary merchant marine.

Whether Mr. UNDERWOOD was or was not asked by the President to have the 5 per cent discount of the duty subsection of the tariff on imports in American vessels repealed, we all know that it was not repealed. We know that you asked the Attorney General for an opinion as to the meaning of a subsection of the tariff that was thoroughly clear to the representatives in Washington of the great maritime nations, but that the President had misgivings about, not because of any obscurity in the subsection as the meaning of its provisions had been presented to him from the State Department, and to that department by the aroused, incensed, and truculent representatives in Washington of the great maritime nations.

We have the authority of the Washington correspondent of that most respectable and esteemed of American free-trade newspapers, the Journal of Commerce and Commercial Bulletin of the city of New York, speaking from his experiences and observations in Washington to the effect that it is the custom of Attorneys General to furnish to department heads the kind of opinions that department heads want. Whether that be true or not generally, or true in this particular case, we know that you received an opinion to which you have not as yet been known to object in any way, an opinion that declared subsection 7 of paragraph J of section 4 of the tariff was unenforceable, and, although the enforcement of it is by law lodged in your hands, we

know that you have never enforced it, although twice the Federal courts created to deal with tariff cases have declared that imports in American vessels are entitled, under this 5 per cent discount section of the tariff, to a discount of 5 per cent on the dutiable imports they bring into the United States.

We know that your zeal for a naval auxiliary merchant marine never moved you to accept the judgment of the Federal courts, nor did it move you to enforce a little bit of a subsection of the tariff that Congress has enacted along with the tariff, with the constructive purpose in the minds of the majority—the Democratic majority thereof—of building up an American merchant marine in foreign trade. Why have you been so cold toward a policy favored by your party associates in Congress for the building up of American shipping in foreign trade, of providing a naval auxiliary merchant marine in the same old way that such a naval auxiliary merchant marine was built up and sustained during all of the 72 years preceding the Civil War, during the many, many years of "good old Democratic control of Congress"? Why so cold to a thoroughly tried and unquestionably successful policy that your Democratic colleagues in Congress feebly, but in part, tried to restore, but that you destroyed, and at the same time so warm for an untried policy of Government ownership and operation of merchant ships, almost unanimously condemned by your countrymen?

Surely the country has a right to know why an administration so keen as the present one seems to be for a naval auxiliary merchant marine in foreign trade, provision for which was in part made in the tariff, and relentlessly opposed by the administration, which has refused to enforce it and which has fought it with signal bitterness through all the courts, has never tried to secure such a merchant marine according to the method provided by a Democratic Congress. If you care to tell the country, the Marine News gladly offers you all the space you may desire in doing so.

WHAT HOLDS THE UNITED STATES BACK?

Common-sense consideration of our merchant shipping problem should make plain the impossibility of its solution by methods that would accentuate rather than relieve the intensity of foreign competition. Our people have gradually drawn out of foreign carrying during a period of over half a century, a period during which our foreign rivals have increased their ocean-going tonnage enormously, largely to accommodate our foreign commerce. This gives them the vantage ground of knowledge of and experience in the intricacies of international trade which present-day Americans are unfamiliar with. Our foreign rivals also have the advantage of cheaper construction and operation of ships than our own people in the beginning could hope for. Add to this the various aids, financial and otherwise, that foreign Governments that realize the value of a merchant marine of their own are disposed to extend in every way possible to those of their nationals who are engaged in maritime pursuits, and it becomes more and more apparent that, lacking governmental encouragement, those of our people who might be disposed to invest in American-built ships for foreign trade will not make the venture.

Cheapness is not, nor should it be, the sole objective of a nation in establishing and maintaining a merchant marine of its own. That policy has never been applied to our Navy, the personnel of which is three times more expensive than that of our nearest rival. Efficiency is of far more moment to the Nation than cheapness. Depending, for example, on foreign shipbuilders for our ships, in the very moment of our greatest need may they not fail us? Depending likewise upon aliens for the officering and manning of our merchant ships, of what avail will they be to the Nation in the event of war? Manifestly our national necessities in respect to a merchant marine of our own include home-built ships navigated by dependable citizens of our own. As private capital will not supply such a marine without ungrudging governmental support and encouragement, not at all for the benefit of either shipbuilders, shipowners, or seafarers, but for the welfare and safety of the Nation, literally encouraging laws must precede the establishment of an American merchant marine in foreign trade.

When in 1883 the United States entered upon the construction of its new Navy American shipyards were unprepared for and their men were unfamiliar with such construction. The construction was entered upon from a condition that may be described as "in the raw." The demand for warships was constant, and the supply was confined to the United States. What followed? Existing shipyards supplied themselves with the men and the facilities that supplied the national demand; new shipyards were established, and the work progressed rapidly and successfully. Most of the warships were built at or below cost, the competition between builders was so keen. Thirteen years later, in his last annual message to Congress, speaking of our warships, President Cleveland said:

"It is gratifying to state that our ships and their outfits are believed to be equal to the best that can be manufactured elsewhere, and that such notable reductions have been made in their cost as to justify the statement that quite a number of vessels are now being constructed at rates as low as those that prevail in European shipyards."

Having succeeded in so brief a period in constructing warships—the most intricate, difficult, and expensive of ships—as well and as cheaply as they could be built abroad, if, by law, a demand is created for merchant ships equal to the needs of our foreign carrying, why should not our people build them as well and as cheaply as they are built abroad if the supply of merchant ships were confined to American shipyards?

Had the building of our new Navy in 1883 been thrown open to foreign competition, is there reason to believe that American shipyards in 13 years would have built warships as well and as cheaply as they were built abroad? If the building of our merchant ships is thrown open to foreign competition, what reason is there to believe that American shipbuilders will attempt to meet the competition? We believe, however, that the policy pursued in building our new Navy, that it shall be wholly home built, in 10 or 15 years would bring our cost of merchant ships down to the level of foreign cost, or below it, merely by increasing the skill and efficiency but without reducing the pay of American workmen, which constancy of employment would no doubt accomplish.

The United States will decide to build a Navy equal to the strongest possessed by any other nation. At the same time it must decide to build a merchant marine equal to all of the needs of American foreign commerce. In a score of years our Navy and our merchant marine would be unmatched in all the world, and, by reestablishing our maritime independence, we would achieve and thereafter retain our destined position upon the seas.

COST OF AMERICAN AGAINST FOREIGN SHIPS.

[By Alexander R. Smith.]

The question often is asked, "Why can't we build ships in the United States as cheaply as they are built in other countries?" If but one-half the ships required to do our foreign carrying were built here, in a few years they would be built as cheaply, if not more cheaply, than in other countries. What is required is a demand for American-built ships, reasonably constant, and soon the supply would meet all requirements.

At present the greater part of the world's ocean-going shipping is built in Great Britain; that has been true for more than half a century. Naturally, Britons have been able to specialize, and, as far as possible, standardize. It is no uncommon thing to find three generations of one family working side by side in a British shipyard. As men develop special aptitude for a certain kind of work they are employed on that in which they have developed the greatest efficiency. The maximum of economy thus is achieved at the minimum of cost.

Is it to be supposed that in American shipyards, where labor is paid about twice that in British shipyards, where it is less steadily employed, and, because of the intermittent character of the employment, it is less efficient, by any possible economic ledger, in the beginning ships can be built as cheaply here as in Britain? Certainly not.

Without experienced shipbuilders, lacking thoroughly equipped modern American shipyards, in 1853 the United States began the building of our "new Navy." A demand was created for American warships, the supply of which was confined to the United States. What happened? Thirteen years later, in his last annual message to Congress, President Cleveland said, speaking of our warships:

"It is gratifying to state that our ships and their outfits are believed to be equal to the best that can be manufactured elsewhere, and that such notable reductions have been made in their cost as to justify the statement that quite a number of vessels are now being constructed at rates as low as those that prevail in European shipyards."

If a similar demand were created for American merchant ships, and the supply confined to the United States, why, in 13 years, or sooner, should we not be able to build them as well and as cheaply as they are built abroad? No doubt we could.

By imposing a higher duty on imports in foreign vessels than is imposed on imports in American vessels, and by collecting a higher tonnage tax on foreign than on American ships, the demand for ships would be created, and the supply of American ships would be increased rapidly. In an amazingly short time ships would be built at least as cheaply in this country as in other countries. It would take nothing from the National Treasury; on the contrary, it would add largely to our national revenues. Importers would see to it that American shipyards supplied the needed American-built ships.

OUR SIMPLE MERCHANT-MARINE QUESTION.

[By Alexander R. Smith.]

American shipping in foreign trade is one of the most discussed and the least understood questions of immediate national concern. It is a simple question, with endless ramifications, and collaterally it is full of the most subtle complications.

The people must first understand that American shipowners per se are no more concerned about American shipping in foreign trade than the Kansas farmer, the Colorado miner, the Georgia lumberman, the Illinois manufacturer, or the Wall Street banker.

The individual American invests in ships as a business, for a profit. He wants the cheapest ships he can get, and he wants to run them in the cheapest possible way. As foreign-built ships are cheaper than American, and as ships are more cheaply operated under foreign flags than under the American flag, the American investor in ships buys foreign ships and runs them under foreign flags.

The United States—not its shipowners—needs an American merchant marine in foreign trade. It needs American-built ships, so that at all times we shall have shipyards in readiness to build and to repair ships. It needs American-manned ships so that when needed for auxiliary naval and military purposes the men and the ships will be available for the national defense. That is the prime reason why the United States needs an American merchant marine.

The great economic reason why this country needs such a marine is in order that the carriage of its imports and exports shall be stabilized, under our own control, and so that the Nation shall have a dependable merchant marine of its own instead of being dependent upon an unstable foreign merchant marine. To secure such a merchant marine the Government, in some effective and permanent way, should make up to Americans willing to invest in ships the difference between American cost of the ships and American cost of operating them in competition with foreign ships, not at all for the owners' benefit but for the Nation's benefit, for its defense.

The way to get such an American merchant marine is to exact a higher duty on all imports in foreign ships than is collected from imports in American ships, and to place a higher tonnage tax on foreign than on American ships. This takes nothing from the National Treasury, but adds to it instead. It is the policy that was in full or partial effect for 61 years, during which time American ships carried an average of 80 per cent of our imports and exports.

[From the New York Evening Mail of Jan. 26, 1916.]

HOME-BUILT DOMESTIC CARRIERS.

Foreign ships were not barred from our domestic carrying by law until 1817, but up to that time it had been made so expensive for foreign ships to operate in our domestic carrying that they abandoned all thought of it. We may properly say, therefore, that from the foundation of our Government until to-day a period of 127 years, the domestic carrying of the United States has been confined to American-built vessels, owned, commanded, and officered by American citizens.

The last census of "transportation by water" in the United States, taken in 1906, showed that we had 37,321 documented and undocumented vessels of 12,893,429 gross tons, valued at \$507,973,121, with a gross income of \$294,854,582, employing 140,929 persons, who were paid \$71,636,521. The previous census of transportation by water was taken in 1889. If our shipping has grown as rapidly during the past 10 years as it grew during the preceding 17 years, we now have 41,341 vessels of 15,560,659 gross tons, valued at \$683,844,161, with a gross income of \$373,007,742, employing 156,839 persons, who would be paid \$89,373,901.

All but 829,833 of that total of 12,893,429 gross tons of shipping in 1906 was in domestic carrying—more than twelve-thirteenths. Up to

the Civil War our tonnage in domestic trade grew no faster than that in foreign trade—it was about ton for ton. The disparity has grown only since the Civil War, our prohibitively protected domestic shipping steadily increasing, successful and profitable, our ships in foreign trade, in free competition with foreign ships, steadily diminishing and unprofitable.

The remarkable part of this is that although this vast tonnage engaged in domestic carrying was by law built in the United States, its extra cost has been no burden. The bulk of our people were unconscious that our laws required that vessels in our domestic carrying should be home-built, owned, commanded, and officered by our own citizens. The Nation that can so readily bear whatever burden is imposed by requiring that its shipping in domestic carrying be all home built, a shipping by this time twelve times larger than our shipping in foreign trade, a shipping in domestic trade of approximately 14,000,000 gross tons, could as easily bear the extra cost of having the ships engaged in its foreign carrying all built in the United States, say, an additional 6,000,000 gross tons.

We have been persuaded, oh, so astutely, and have accustomed ourselves to measure the value of our shipping in foreign trade by its cost, and our shipping in domestic carrying by its efficiency. For nearly three-fourths of a century our shipping in foreign trade was measured by its efficiency, not by its cost, and in those days it was all home built, owned, commanded, officered, and manned by our own citizens. When most numerous and most profitable our ships in foreign trade were by law all home built, owned, commanded, officered, and manned by our own citizens. Then our shipyards were equal to all of our tonnage requirements for domestic and foreign trade, our builders skilled and experienced, the Nation truly independent. How wise we would be if in respect to the ships engaged in our foreign trade, again we would require that they should be home built, owned, commanded, officered, and manned by American citizens. It is a matter that Congress can arrange in the easiest and simplest way imaginable whenever it possesses the courage and the statesmanship.

[From the New York Evening Mail of Dec. 10, 1915.]

A NAVAL AUXILIARY MERCHANT MARINE.

[By Alexander R. Smith.]

Secretary of the Treasury McAdoo says the United States must have a naval auxiliary merchant marine. Conceded, unconditionally. We have but to think of Great Britain's plight had she lacked the several millions of tons of British merchant ships now engaged in auxiliary naval and military operations which are directly aiding in the national defense. This country may need some day, as badly as Great Britain has needed, a naval auxiliary merchant marine. Picture our plight lacking an adequate and effective naval auxiliary merchant marine of our own!

Note Britain's dependence upon British ships to bring to her the foods, raw materials, and munitions she needs so urgently, and note our own dependence upon British ships for our foreign carrying. Suppose British ships no longer were available for our foreign carrying; how, then, would we market abroad our over-increasing surplus products? We must have a naval auxiliary merchant marine measurably equal to the carriage of our exports and imports.

Shall we have a naval auxiliary merchant marine that shall be used as a political machine? Shall it be extravagantly managed? Shall it be operated at large financial loss; that is to say, shall it be owned and operated by the Government? Operating commercially, such ships would constantly be in acute danger of affronts which, at a moment's notice, might involve us in war with a foreign country.

We must have a naval auxiliary merchant marine of ships built in the United States, owned, commanded, officered, and manned by citizens of the United States, as ready to fight its battles in war, as alert to secure, hold, and develop the foreign markets which we must have in peace for our surplus products, the ships and the men constituting a highly efficient national naval reserve.

The easy, simple way to secure such a merchant marine is to collect higher duties from imports in foreign ships than is collected from imports in American ships, and to tax foreign ships more on their tonnage than we tax our own ships. This would force importers to secure American ships to avoid the extra duties.

Terminable trade treaties in the way? Our Government already has served notice on foreign governments with which we have such terminable trade treaties of our intention to terminate or modify them so as to give full effect to the seamen's act.

Retaliation? Retaliation gave foreign ships an average of just 20 per cent of our foreign carrying during the 61 years this policy was in operation preceding the Civil War.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Lippitt	Sheppard
Bankhead	Gallinger	Lodge	Sherman
Brady	Gronna	Martine, N. J.	Simmons
Brandegee	Harding	Myers	Smith, Ariz.
Broussard	Hardwick	Nelson	Smoot
Catron	Hitchcock	Norris	Sterling
Chamberlain	Hollis	O'Gorman	Thompson
Chilton	Johnson, Me.	Owen	Tillman
Clapp	Johnson, S. Dak.	Page	Underwood
Clarke, Ark.	Jones	Phelan	Vardaman
Culberson	Kenyon	Pittman	Wadsworth
Curtis	La Follette	Pomerene	Walsh
Dillingham	Lane	Ransdell	Warren
du Pont	Lea, Tenn.	Saulsbury	Williams
Fall	Lewis	Shafroth	Works

Mr. CLAPP. On behalf of the junior Senator from Michigan [Mr. TOWNSEND] I desire to say that he has been called home by serious illness in his family. He has a general pair with the junior Senator from Florida [Mr. BRYAN]. I ask that this statement may stand for the day.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present.

NATIONAL DEFENSE.

Mr. CHAMBERLAIN. Mr. President, the conference report on the Army reorganization bill was submitted by me awhile ago, and I had hoped that the Senate might be able to take it up and dispose of it this afternoon. After conference, however, with some of my colleagues and with the Senator from Arkansas, who has in charge the river and harbor bill, he thinks it might be best not to attempt to take it up this afternoon, but that it be taken up to-morrow morning at 11 o'clock. I hope I may be able to have the Senate consent to have the conference report taken up and disposed of at that time. I do not think it will take very long to dispose of it.

Mr. CLARKE of Arkansas. Mr. President, may I ask the Senator if he will not limit the time for its consideration to a couple of hours after the report has been taken up? If it opens up general debate, it may have the effect of displacing the river and harbor bill.

Mr. CHAMBERLAIN. I do not desire to do that, Mr. President.

Mr. HARDWICK. Mr. President, it will be impossible for me to consent to any agreement about the matter now. There are several Senators here who are not pleased with everything in the conference report nor with everything that has been omitted from it.

Mr. CLARKE of Arkansas. We will wait until to-morrow comes, then, in the light of events. I think it is the purpose of the Senator from Ohio [Mr. HARDING] to address the Senate at this time.

Mr. CHAMBERLAIN. I will not take any further steps about the matter at this time; but I ask that the conference report may be printed as a document for the information of the Senate.

The VICE PRESIDENT. That action will be taken.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HARDING. Mr. President, the few remarks I may have to offer on the pending measure are not designed in any way to delay the action of the Senate. I rather suspect that I will not influence any votes cast on the measure. My position is the outgrowth of an incident in the proceedings of the Committee on Commerce. During the proceedings of the committee, at one of the meetings, a specific question came to a vote, when I ventured to say I was ill prepared to express my attitude on that particular question, whereupon the distinguished chairman of the committee, with that bluntness which characterizes him, and which does not in any way diminish my regard and affection for him, said, "Well, a Senator is supposed to know how to vote." That made me think, and after a very careful perusal of the bill and the reading of hundreds of pages of information and misinformation on the subject I feel very much in the attitude I expressed to the chairman that day as to the whole bill, I hardly know how to vote.

I did not sign the majority or minority report, because I wanted to have a free hand in the discussion of this measure. There is very much in this appropriation bill that I should like to vote for. I suspect that some Members of this body will think that I am prejudiced particularly in favor of the Ohio River project because it is located so as to seem to be a selfish proposition. I hope no one will accuse me of being quite that narrow.

Mr. President, I want to approach this proposition from a viewpoint a little bit broader than sectional. I should like to reach a position that is not in any way prejudiced by my partisan ideas. To be sure, the Ohio River traverses the southern border of my State, but I recall that that great waterway courses from Pittsburgh along the eastern and southern borders of my State, the northern borders or western borders of West Virginia, the northern borders of Kentucky, and the southern borders of Indiana and Illinois until it reaches the great Father of Waters. The Ohio River alone constitutes an artery of commerce extending more than 1,000 miles, which has been given the attention of the Federal Government since early in the Nation's history, perhaps as early as 1820. The Ohio River and its connection with the Mississippi makes a waterway almost equal to the entire free river transportation lengths of Germany. The Mississippi and the Ohio make a waterway, not counting the section north of St. Louis, of more than 2,000 miles, and probably has the largest river commerce of any river waterway in the world.

It is a very natural thing that the Ohio should be a useful artery of commerce. It has located, as I suggested, at the

headwaters not only the wonderful city of Pittsburgh, and is bordered by the important cities of Cincinnati and Louisville and Wheeling, but throughout what we call the southeastern Ohio Valley, adjacent to the coal fields of Pennsylvania and West Virginia and Ohio, there is a perfect avenue of almost matchless industry running from Marietta all the way to the great steel city of Pittsburgh.

Naturally with these hives of industry and the coal fields the Ohio becomes a natural avenue of commerce. I believe it will be possible for the river to rival the Rhine. It does now; it excels the Rhine in heavy freight; but of course the Ohio situation, as indeed all American situations, are very much different than those of the Old World. Eventually I must address myself for a few moments to that feature of this question.

My objections to the bill in its present form are general in nature. I would not for a minute desire to take up and discuss any individual appropriation. I feel myself utterly unfit to do so. I surely would not want to take the bill up and discuss it from any geographical or sectional viewpoint. I should like to undertake to vote a large appropriation for internal improvements of this character. It would have to be a very indefensible project that I would not like cordially to support.

I do not entirely agree with the statement made by my distinguished friend the Senator from Illinois [Mr. SHERMAN] the other day. I love to dream of the possibilities of commerce. I think I know something about commerce's contribution to our present-day advancement. I am sure we all know something of the part that internal improvement has contributed to American development. But, on the other hand, there must grow upon every observing American the deterioration of inland waterway commerce. I have been reading with more or less interest the report of the United States National Waterways Commission, but before I had read that very interesting report I had come to some conclusions of my own that are rather personal in character.

My first observation relating to inland-waterway commerce came from my experience in the General Assembly of the State of Ohio. Ohio caught the spirit of canalization, or rather of canal building, in the early days of the State. We expended millions upon interior water routes from the Lakes to the river, and for a number of years these canals contributed very largely to the development of the great Commonwealth of Ohio. But after the period of railway development came the canal traffic began to deteriorate. It proved more and more expensive to keep them up, and we had in Ohio, and have now, the problem of the abandonment of our canals. Every man who recommended the abandonment of the canals was suspected of having some selfish motive. It was suspected that he wanted to make a grab of a right of way. So we had a commission appointed to investigate the question, and one thing was done after another, but no fixed policy by the general assembly was ever formulated. Finally at one session of the general assembly, while I was serving on the finance committee, a delegation representing the canals of the State—representing, I should say, the canal spirit of the State—came before our body and said the trouble with the development of canal transportation is that nobody knows how long these waterways are going to be maintained, and nobody will venture to build a canal boat nowadays for that reason. Being of rather a practical turn of mind I said, "I can fix that without the expenditure of a dollar on the part of the State." So I had caused to be written into the bill a guaranty wherein it was stated that in case of a change of policy on the part of the State and the abandonment of any part or all of these canals the citizen who had invested in the building of a canal boat after the passage of this act and prior to 25 years therefrom should be reimbursed for his investment. In other words, we provided in the appropriation that in the case of the man who built a canal boat and we did not maintain a canal for him to operate it upon, we should buy his boat and return his money, so that he stood no possible chance to lose. Thereby we spiked for all time the argument that canal transportation was kept from developing because there was no fixed policy, and under that provision, which was enacted 16 years ago, there has not been a canal boat built in the State of Ohio. I am willing to drop my observation concerning canals with that one statement.

My next observation relating to the deterioration of river transportation—

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. HARDING. Certainly.

Mr. NORRIS. Before the Senator leaves that subject, which is very interesting, I wish to state that I know just a little about it, because I lived in Ohio for a great many years. Ohio had quite a system of canals. I believe there was a canal extending all the way from Lake Erie to the Ohio River.

Mr. HARDING. The Miami & Erie.

Mr. NORRIS. Yes. That has been abandoned, has it not?

Mr. HARDING. Not in toto. The Miami & Erie Canal, except that the southern section running into Cincinnati is maintained as a waterway, mainly for supplying water to the industrial institutions located on its banks. As a transportation line it is abandoned, practically.

Mr. NORRIS. As a facility of commerce it is no longer there. As I understand it, a large portion of the canal bed itself is dry and used for other purposes.

Mr. HARDING. That is true of the Ohio Canal, running around from Columbus to the Ohio River.

Mr. NORRIS. How much money has been expended upon those canals? Can the Senator tell us approximately?

Mr. HARDING. I could not tell the Senator from Nebraska the total amount of expenditures. My recollection is that the Ohio canals are estimated to be worth about \$8,000,000.

Mr. NORRIS. They were free, were they not?

Mr. HARDING. Oh, yes.

Mr. NORRIS. Anyone who complied with the regulations could build a boat and operate it?

Mr. HARDING. Yes; and it is so to-day.

Mr. NORRIS. The locks were kept up by public taxation.

Mr. HARDING. Yes; by payments out of the general revenue fund of the State.

Mr. NORRIS. So, as a matter of fact, they were practically no expense to the man who wanted to operate a canal boat except his own boat.

Mr. HARDING. None whatever.

Mr. NORRIS. And such help as he might give.

Mr. HARDING. None whatever.

Mr. NORRIS. A large part has been abandoned.

Mr. HARDING. It is all gone, so far as actual transportation is concerned.

Mr. NORRIS. That has been on account of the developments of the railroads?

Mr. HARDING. Entirely.

Mr. NORRIS. Has there been any other cause that has contributed to the abandonment?

Mr. HARDING. I think not. As a matter of fact, we have maintained canals in Ohio at no little expenditure of money, with no income except the water rentals collected from the industrial plants that have located along the line of the canal, because it afforded them a very desirable water supply largely for steam purposes.

Mr. NORRIS. That brings me to another point which I would be glad to have the Senator enlighten me upon. Those plants that were located were originally built because the canal was there, and almost invariably found themselves utilizing the railroads instead of the canals later on.

Mr. HARDING. Almost wholly so.

Mr. NORRIS. So these manufacturing plants abandoned the use of the canal because of the superior advantages of the railroads?

Mr. HARDING. Almost entirely so. Mr. President, I can best answer the Senator from Nebraska by saying that to-day the United States of America is on wheels. We have passed the old canal age.

Mr. NORRIS. Can the Senator give us from his recollection something about the cost of the maintenance of the canal system of Ohio when they were in full operation?

Mr. HARDING. That antedates my time of actual experience in the Senate of Ohio; but we were expending for canals that were not in use approximately half a million a year some 15 years ago, when there was no possible use for the canals and no actual use except for the water they furnished to the industrial plants.

Mr. NORRIS. What did the State do with the canal right of way when the canal was abandoned?

Mr. HARDING. We very recently leased the right of way of one of the abandoned canals under a satisfactory arrangement for a railway route.

Mr. NORRIS. That is what I wanted to bring out.

Mr. HARDING. That has been one of the reasons why the abandonment has not been accomplished heretofore. There was always a fixed suspicion that somebody was seeking to grab these possessions and weaken us, though they were utterly worthless to the public at large. We clung to them and expended money on them rather than to lay ourselves open to the suspicion that we favored somebody.

Mr. NORRIS. Are there abandoned canals in Ohio with railroads built in the canal bed?

Mr. HARDING. Not at this time. That is in process of development.

Mr. SHERMAN. Mr. President—

Mr. HARDING. I yield to the Senator from Illinois.

Mr. SHERMAN. In response to the inquiry of the Senator from Nebraska I will state to him that in Illinois the Illinois & Michigan Canal is paralleled by steam roads that have been developed since the canal was opened for the entire length of the canal and more. There is an actual instance of a canal being abandoned practically and the building of a steam road that has reached from Chicago to St. Louis. I refer to the Chicago & Alton.

Mr. HARDING. Mr. President, I am very glad to have these interruptions. I wanted to recite to the Senate my next observation relating to the deterioration of inland-water commerce. It was my fortune to go to Florida 25 years ago, in the days before railway development had wrought such transformation as it has in that wonderful State. My fortune took me to a section on the Indian River, about 200 miles south of Jacksonville, what is known as the Merritt Island section of Florida. At that time there was no railway south of Titusville on the east coast, and indeed none that far south along the east coast. The railroad running to Titusville came across the State. There was an East Coast Railway running as far south as Daytona or Smyrna. It was in the vicinity of the Indian River, on which I was located, to some of you better known as the section of Rockledge and Merritt Island. All transportation on the river in those days was by boat, either sailing craft or steamboats. It was a wonderfully attractive section. It was romantic in accordance with our notion of things in the earlier days. I can recall very distinctly that at evening time, when darkness dropped its curtain suddenly, it was a very common thing to step out on the banks of the river and watch the steamboats passing at night. We knew every evening at a certain time that there would be seven big river steamboats in sight. It so happened we were located where they passed one another and we saw the best presentation of the river traffic on that river in that way. These boats made all the points on the river down as far as Jupiter Inlet. There was a necessary transfer across the little peninsula south of Jupiter Inlet, and those who wanted to go farther south took another steamboat on Lake Worth. I remember at one time the distinguished President of the United States, who was then Grover Cleveland, made a trip down the river. These boats not only carried passengers but carried all the freight that had to do with the development of the country, and brought back all the fruit of which that section boasted.

Three or four years later, perhaps in 1894, Henry M. Flagler began the marvelous development of the east coast of Florida with his railway building. He was able to command the means. He had an objective point. He saw the possibilities of the southern portion of the east coast of Florida. He mapped out a great and comprehensive scheme, and then he built a railroad with that thought in mind, and those of us who have visited that section of Florida for 25 years have witnessed the complete process of superseding whereby this railroad has put the steamboats out of business. There is no flood and little tide on the Indian River; nothing to interfere with continuous traffic; but there is not a single craft for commerce, except a little tub of a steamer that crosses from one bank to the other and gathers up the citrus fruit of that section for transportation to a central shipping point, like Titusville or some other point on the railroad. The whole business has disappeared. Romance and commerce have both become things of the past.

I was making some investigation into the reports of the engineers on the subject, and I only cite these instances of Florida, because I have seen them myself—not that I have any grievance against the State of Florida in any way. I delight to see it develop. I hope that there may be some continued maintenance of water craft for the pleasure of those who visit that State in the winter, but the commerce on the Indian River is practically nothing; and I may say that under modern conditions there is but the one little craft which dodges back and forth connecting with fruit docks on the island side with the transportation lines on the mainland. They could get along quite as well without the one craft that is in existence there. It is a beautiful body of water, and the interesting thing about it to consider in this connection is that the Indian River is a tidewater river. In fact, it is not a river; it is a lagoon; it is a long arm of the Atlantic Ocean. It does not depend on mountain streams or freshets or springs for any of its water. The waters of the Indian River are the backwaters of the ocean, and it is always supplied at all seasons of the year and little affected by tides.

Mr. OWEN. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. HARDING. Certainly.

Mr. OWEN. I wish to ask the Senator whether there was any arrangement made between the Indian River boats and the railways, so that the traffic upon the river could be conveniently placed on the railways for further transportation across Florida?

Mr. HARDING. You mean whether there was cooperation between them?

Mr. OWEN. Yes; that would utilize the water transportation connecting the railways.

Mr. HARDING. I am not able to answer the Senator from Oklahoma definitely. There was this condition when the railway development began on the Indian River. On the Indian River there was a line of steamboats operating in connection with what is known as the Jacksonville, Tampa & Key West Railroad, and the line of boats operated in connection with that railway from Titusville on down to the Lake Worth section of Florida. Henry M. Flagler, who later built the railroad on the east coast, was not to have anything to do with that railway, and he necessarily established his own line of boats in the beginning of his construction, because he wanted to transport certain things down the river where his railway would lead. Then there was a competing line of boats. It is my recollection that there was very little done by Mr. Flagler himself on his railway to encourage facilities that would make the railroad and steamboat lines coordinate, as the Senator from Nevada [Mr. NEWLANDS] says.

Mr. OWEN. I have had an impression that the failure of water transportation was largely due to the detached character and to the fact that there was no method provided of control for waterways and railways to operate and permit convenient intershipment from one to the other.

Mr. HARDING. I am glad to have the Senator from Oklahoma raise that question, because it is pertinent to this discussion. I have noticed some passages in the report of the Waterways Commission that have something to say about that. The Waterways Commission, in reporting on this subject—I trust every Senator has read this document that has been in existence for the last six years—says:

A fourth advantage of the railways, in this class, is the far greater attention given to provision for warehouses, terminals, and the equipment for handling freight. On many of the waterways very little if any progress has been made during the last 50 years in furnishing modern facilities for the storage or handling of traffic. In each of a considerable number of cities located upon rivers and canals in Germany the members of the commission during their recent inspection trip saw a larger investment for terminals and for the storage of freight and handling of boats than exists on the whole of the Mississippi River above New Orleans.

Following that proposition the commission speaks of the enormous investment in handling freight in connection with the Great Lakes. Of course the commission will also discuss and does in this report the question raised by the Senator from Oklahoma.

In Europe where there has been some maintenance of the volume of inland water traffic, if I may use that term, there has been the cooperation on the part of the Government which owns its railways to maintain a rate on the railroad that will encourage the development of waterway competition.

But, Mr. President, that will not apply. We overlook the point that Europe developed its waterways in the days of necessity under conditions of a dense population. We began to develop our waterways and have made some progress in the last 50 years, but under an entirely different condition, because meanwhile there came the railroads, and this wonderful land of ours is developed by railroads beyond any other nation on the face of the earth. I think the statement is correct that in relation to population our development is five times that of Europe. Will some one correct me if I have the wrong figures? It is given in this report. My recollection is that we have in this country five times the mileage in proportion to population that Europe has with its many Government-owned railways.

Under these conditions American enterprise, American determination, American individual development have strung the steel highway between all the marts of importance, have connected up its centers; and then we Americans, with this modern spirit of development, have gone boldly along at our incomparable pace until we demand the speed of the railway delivery. Nobody would tolerate nowadays a freight shipment by a canal boat, and that is one of the reasons why there is no ordinary commerce on the great Ohio River, relatively. Of course, there is packet freight on the Ohio River, but most of our river freight, as has been pointed out by the Senator from Iowa [Mr. KENYON], consists very largely of, shall I say, gross products—natural products—logs on the smaller streams running

from the timber section to the sawmill, coal as we have it on the Ohio or in other sections. We are willing to tolerate our tardy shipment of products of that kind; but when you get to the great interior and serve all citizens, the American spirit no longer will tolerate any freight delivered by river transportation.

You can take the question a little bit further. Have Senators stopped to think what a tribute you have paid to this spirit of speedy delivery in this country? I called your attention to it for a moment in discussing the good-roads bill. You give us a good-roads bill from the majority of this body under the guise of contributing to the post roads of the country. You did not mean anything of that sort. You are encouraging the building of good roads by the Federal Government just as we did in the State of Ohio by the State government to promote the means of speedier transportation—not only the transportation of the passenger or the individual, but of his products. If you choose to call them market roads, very good.

As I said a moment ago, we have reached an age where the American people, at least, are on wheels; and you can not supplant the automobile and the railway car with anything like the antiquated canal boat or anything else that you can develop on our rivers.

I do not want by this statement, Mr. President, to commit myself unalterably and entirely against interior water navigation. I believe in it very cordially; but the trouble is that Congress has allowed to grow up a system of appropriation which is absolutely intolerable and indefensible. I want to know for what I am voting. I may get over this feeling in time, but it is a little difficult for a new Senator to come here and to think in millions all the time. I have a very strong conviction that a man who enters the public service ought to perform public duties very much as he would his own. The trouble with us is that we are all the time drifting away from our own individual convictions; we are drifting away from doing things as we would do them if they were our very own, and we are yielding to the exigencies of politics.

A Senator on the other side—I use no names, because I do not wish to violate the proprieties—said to me the other day, "This system ought to be abandoned; I know it," he said. I respect his opinion very highly; but he added, "We can not do it now." Well, Mr. President, if we can not do it now we never can do it. They way to do it now is to proceed to do it; and there never was a better time in the history of the United States than to begin now. For example, in my own affairs, if I find myself without ready funds—I ought not to put it in that way, but for illustrating purposes it will do; I am always that way—but when contemplating a condition lacking ready funds, I do not invest, and if I do business in the same way for the United States Government, when I contemplate a distressed condition of the United States Treasury, I ought to refuse to appropriate money for needless expenditures.

I do not mean to talk about any one party, Mr. President; we are just as bad on one side, I think, as on the other, excepting just now you on the majority side have the responsibility. It is rather a singular characteristic of our American political life that everybody talks economy in the campaign season, and that nearly everybody proceeds to grab at the Treasury immediately the campaign is over.

The Federal Treasury is a mysterious, mythical sort of thing that is never exhausted apparently, and nobody ever stops to inquire how the money gets into the Treasury. You know, I think we Republicans are responsible for that state of mind in the country. I do not mean to drift into a partisan discussion; but we Republicans had fallen into such a fortunate management of the country that we always had means to do the things that we wanted to do and still have an abundance of money on hand. I remember we had so much money that in 1884 you, on the then minority side, grew so worried about it that you passed resolutions on the subject in your national convention. I do not know but that the Senator from Kansas [Mr. CURRIS] may have made allusion to that in his address the other day; but the chief burden of worry on the part of my friends on the other side of the Chamber in 1884 was as to how to get rid of a menacing surplus in the United States Treasury.

So, I say, we are responsible for this creation of a feeling that the Treasury is inexhaustible; but I want to tell you, Senators on the other side, at a time when you are contemplating direct and offensive taxes to meet the needs of the Government, is a good time to resolve to correct abuses in the expenditures of the Government. I do not know that I can offer a remedy. A distinguished Senator from the South, discussing this bill the other day with the zeal for which he is known, said he would be very glad to have somebody who criticized the existing plan to be constructive enough to offer a remedy. Well, that is a fair

statement; and I wish I might do it; but because I can not offer a remedy immediately to-day is no reason why I should go on with the old system.

I was saying a moment ago that a man ought to follow the same rules in public service that he would in his own private conduct of affairs, and I have learned in my own business that if I go on a wrong track, no matter if I had made large expenditures on that track, it is better to back up and get off the track and quit, even if you do not know definitely what your next track is going to be. So I should like to favor the suggestion of the minority. I do not want anybody in the Senate and I do not want anyone who reads of these discussions to get the impression that I am opposed to a liberal expenditure for the improvement of harbors and of rivers which may be of some use in the service of the public, in the modification of railway rates, and in the facilities of transportation. I have been looking it up, and I have discovered that in the last 15 or 20 years we have increased these appropriations from approximately \$15,000,000 to \$20,000,000 to something like \$42,000,000, as this bill provides. Well, the Senator who offered the criticism and asked for a constructive substitute the other day said, "We now have the examination of the engineers and their recommendations by which to make appropriations," and he added, "I do not believe there is any more dependable system than that." Well, Mr. President, one who reads the report of the engineers will find that there are a good many reports to Congress that do not mean anything, and I have discovered already that there are a good many recommendations of the engineers which are not heeded by Congress. There are numerous instances in the existing bill where committees of the House and of the Senate have exceeded the recommendations of the engineers. There are instances of appropriations made where the engineers have suggested that the project be abandoned. Under these circumstances I am unwilling to cast my vote to spend some fifteen or twenty million dollars of this proposed sum in order to secure, if you please, the sums that I should like to favor in the completion of the project for the Ohio or the Mississippi Rivers, or the two together.

Mr. President, there are in this bill not less than 100 projects on which there have already been expended millions of dollars which will never amount to a continental snap of your finger if we expend a hundred million dollars more to bring them to completion as originally designed. There is not a member of the committee who will not admit in private that we are following programs of river development that can never be made useful under any modern or known system of water transportation. If this be so, why limit ourselves, as we did in the consideration of this bill, by a rule to take up no new project, and then under that cloak go along with these enormous appropriations, largely because there is the old system of dividing up the spoils according to the political needs of the situation.

Mr. President, I do not want any fellow Senator to misconstrue my remarks. I like the fraternity of this body; I like to know that when the waters are muddy I will be considered; I like to participate in the "booster" proposition. I could vote for hundreds of projects with a good deal of conscience, and I very much desire to have the privilege of doing so in the pending bill. I know how a Senator feels when he has his heart set on securing Government assistance for some great undertaking in his section; but can we not bring that to a consideration on its merits and not have this trading combination which requires a man to stultify himself to secure the consideration of projects for which he really has a heart?

I do not know that it is customary to relate the experiences of committees, and I shall quote no one in the conversation which I am about to relate, but it is a very discreditable proposition that one man shall say "he ought to have this; this is all he has asked for; and he ought to have that, for that is all he has asked for; and we must give him this, for that is all his State wants." That is no way to transact business involving millions of dollars.

I want to say something that will lead the Senate of the United States to adopt a businesslike system of appropriating millions of money, as such a bill as this does, and give us all an opportunity to vote our conscience into an operation that involves some great public improvement.

Mr. President, the Waterways Commission, from which I started to quote—I do not want to take the time of the Senate—confirms all that I have attempted to say in this matter. Let me quote you one or two expressions:

The commission has had under consideration the manifest decrease in water-borne traffic on a majority of the rivers and inland waterways of the country. On many there has been an absolute decrease, while on others the falling off has been merely relative. In these latter cases, although the aggregate traffic by rail and water has been greatly

multiplied, the proportional share carried by water has very noticeably diminished.

Then this commission followed with a statement that is very interesting to note. I have already said—so I can have no prejudice in making this quotation—I should like to take the great Mississippi River and the Ohio River and some other tributaries and see if we could not really develop a great and effective and abiding system of water transportation. The commission reports from figures taken up to 1906 that the upper Mississippi River system decreased in water transportation 72 per cent; the Ohio system, to which I am committed, decreased 3 per cent; and the lower Mississippi River decreased 59 per cent, so there is an average decrease on the Ohio and the Mississippi of more than 30 per cent.

Those decreases are in no way disputed. There has been the backward tendency, and in only a very few cases has there been an increase of river traffic, notably on the Monongahela up about the city of Pittsburgh.

This raises the question in another form, as suggested by the inquiry of the Senator from Oklahoma. The commission says there are inherent or fundamental advantages in railway transportation, and then continues:

The first and most important of these is the wider area of distribution available to railways. A railroad line can be constructed in any direction to any part of the country, except the portions which are admittedly inaccessible, while the line of a river is fixed by nature in a single direction. Railroads are more readily adaptable to the newly arising and ever-shifting demands of producing areas and of markets.

And, by the way, Mr. President, that raises another question. Some of the improvements which have been under consideration, and for which appropriations are made in this bill, are supported by local interests. The commission reports that on nearly all the waterway developments of Europe the expenditure is divided. I will not assume to give the percentages, but one part is assumed by the Imperial Government, one part by the State or the Province, and another part by the municipality; and sometimes the division goes further than that.

The construction of railways, which has entered into competition with and destroyed water transportation is due to the spirit of development. Up in Alaska, until Congress ventured to appropriate money for a federally built railway, private capital was engaged in building railway lines to the rich mineral deposits of the Territory. Congress saw fit to stop individual development and build a federally owned railroad in that section. What is the result? There will be pending, if there is not pending now, a first request for an additional \$30,000,000 of Federal money to build a branch from the Government railway to a deposit of ore or coal, which remains undeveloped because we halted the individual development. In my State it is customary if a man locates a deposit of coal or knows of a deposit of stone which he wants to quarry into he has the individual initiative and the courage and capacity to build a line of transportation, and he does not ask any Government help.

I can cite a very interesting illustration on the other side that applies to water. I should never have known of it if it had not been for some little touch of kinship that brought me in contact with it. Congress is appropriating in this bill several hundred thousand dollars for the development of a harbor and waterway at Texas City, Tex. The men who built the original channel into Texas City did not ask a penny of anybody; and, if they did, they did not get it; but they went ahead applying private capital to the making of a channel. Why? Because they had acquired the real estate on the site of Texas City and deliberately set about to build a harbor and a city and to profit thereby—a perfectly legitimate undertaking—but, unfortunately, because of the abundance of Government funds the practice has been established of men starting to build a city and then asking the United States Government to furnish the money to build it. I know how it is. I suppose if the chamber of commerce of my home city should start out and ask the Government to spend a half million dollars on the Scioto River, and they should ask my cooperation as a private citizen, I would join them, and I would come here, and I would make the best possible case in presenting the matter to Congress; but the Government would have no more right to spend half a million dollars on the Scioto River than it would have to go out and spend it on a mountain in Virginia to make some sort of a playground.

The practice extends in many directions. There is a provision in this bill for revetment work on the upper Missouri—and I regret that the Senator from North Dakota is not present. The United States Government is under some obligation to maintain its waterways so long as it holds them under Government control, and we ought to spend and we must spend millions for embankments and revetment work and levees in order to protect the citizenship of this country and maintain our waterways as we ought;

but here, on the other hand, there are thousands of people who have acquired almost valueless areas among the lowlands along the rivers of the country. They have acquired such land for a song because of the danger of flooding and overflow and the disasters that attend such conditions; but after they acquire the title to the land it is a very common thing for the people interested to want the public to expend the money that shall give increased value to their possessions. I do not blame them for doing that, but I am opposed to the Government undertaking such work.

That situation does not apply entirely to the Federal Government. We have the same condition in Ohio along the river banks in State control. Men acquire river-bank possessions at a song, because the property is endangered by flood all the time; but, as soon as enough of them become interested in one another and they can start an organized movement they will tax the nearest city on the banks of the river to dredge that river or establish a new channel so that they will be protected from floods; and land which cost \$40 an acre will be increased to the value of \$250 an acre by the expenditure of public money in revetment and channel work.

I want to see Congress liberally appropriate the public money for the maintenance of channels and for the improvement of harbors. I want to see Congress liberally contribute to the development of every possible waterway that is interstate in character at least, but, Mr. President, we forget that Congress has accomplished the great feat of railway-rate legislation, and when it passed that legislation it took away forever one of the chief inspirations for the development of inland waterways. In the States we have our State railway commissions, so that interstate commerce and intrastate commerce are officially regulated, and there is not the slightest need in the world for entering upon an expenditure of millions upon millions of dollars for waterways that will never be used in order to attempt to influence the railway rates of the country.

This takes me back, Mr. President, to an illustration which I meant to use in the opening of my remarks. I do not know at this time the amount of money that was expended on the Muskingum River in the State of Ohio. The Muskingum River flows from the central eastern section of the State to the Ohio River at Marietta. It is a beautiful stream, and some Member of Congress, a number of years ago, had the eloquence and the influence to bring about an appropriation on the part of the Federal Government for the construction of dams in the Muskingum River. I am sorry I have not the information at hand to state the expenditure made, but there were perhaps a dozen dams erected in the Muskingum, although there has not been a boat on the Muskingum River, except one little passenger and package steamer in the last 10 years, and I was told only this week that this one steamer had not made a trip over the river in the last two years. I can have no prejudice concerning that, Mr. President. The Muskingum is in my State. There has not been enough commerce to pay the interest on one-tenth of the expenditure which the Government has made on the Muskingum River; the dams are to-day falling into a state of deterioration; it will not be long until all that the Government has spent on that waterway will have been utterly wasted and there will not be even a remnant to show for the improvement which was made.

The trouble with us, Mr. President and Senators, is that we too readily drift into a tendency to tickle a constituency rather than commit ourselves to a policy that is to promote the Federal Government. It is a very easy thing for a man to represent merely his district or his State, but it is my notion that we ought to grow a little bit larger than that; that a man ought to be a Senator for the great American Union, and when he casts his vote for expenditures on matters relating to river and harbor improvements, he ought to get the viewpoint of the Nation.

This is a big proposition. I became amazed when I undertook, as one must do very briefly, to study the question before meeting with the Committee on Commerce. We are a wonderful people. Somebody has said that the trouble with the party in power is that it is not able to comprehend the extent of this country. I am not repeating that statement on this occasion as a sentiment of my own. Our tremendous breadth and extent and resources and possibilities are beyond the average man's comprehension; but when you take up the question of commerce, you must remember that this wonderful American commerce of ours, amounting to something like \$50,000,000,000 a year, has been developed on railway lines in good part, while the foreign commerce, of which we boast and delight and want to see grow, is that of the waterway. I should be very glad, Mr. President to take \$25,000,000 of the amount proposed to be appropriated in this bill, and spend that sum under the direc-

tion of a knowing hand, for the improvement of every harbor that needs improvement on the coast of the United States.

Mr. SMITH of Michigan. And on the Lakes.

Mr. HARDING. Yes; I will include the Lakes, as the Senator from Michigan suggests. I have not touched, Mr. President, on the commerce of the great system of northern lakes, because that seems to be a matter so well established that there is no longer any question about it; but I would just as readily vote, if need be, for \$50,000,000 to maintain perfect harbors on the east and west and southern coasts of these United States, so that every possible artery of commerce abroad shall be opened and ready for the craft which shall take American products to all the marts of the earth; but I should like to do that, Mr. President, under some guiding hand that knows what should be undertaken. It may be possible for some of you to know in detail about these enormous expenditures; it may be that after five or six years in the Senate I can acquire the judgment that I must exercise, as the chairman of the Commerce Committee insists that a Senator ought to do. I hope I will; but I do not believe it practicable, Mr. President, for the 96 Members of the Senate to vote intelligently on the numerous items included in this bill.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. HARDING. Certainly.

Mr. KENYON. The Senator referred to the Muskingum River, and said he did not know the amounts appropriated for it. The figures are set forth in volume 2 of the Engineers' Report for 1915, and show that the allotments under the various river and harbor acts for that river have been \$2,368,321.84, and that the expenditures for operating and care of locks and dams for the fiscal year ending June 30, 1915, were \$184,323.68, an enormous sum of money.

Mr. HARDING. Well, Mr. President, then the Muskingum has cost the United States Government something like two and a half million dollars, and I might make my remark very brief and say that it is not worth the dams on the river; it is not worth one of them. It is the most profligate and ineffectual expenditure of money that I can imagine.

You know, Mr. President, we have been growing up in this country, and I assume that out of the practices of Congress there have developed a number of systems that need changing, to effect that efficiency which every one of us must commend in the conduct of Government affairs. I have been serving, as every new Senator must, I suspect, on the "hazing" committee, known as the Committee on Claims. It is not an uninteresting experience. There is many a romance developed in the discussion of the claims which are before that committee. I believe it to be a very important committee, and I am not sorry for the experience that I have had there, brief as it is. But, Mr. President, the Senate of the United States ought not to dispose of the six or seven hundred bills that come to the Claims Committee as they do dispose of them in that committee. You know the practice. I have had on my desk no less than a dozen claims bills which I, as a subcommittee of one, must report to the general committee. Usually the recommendation that the subcommittee makes is adopted by the committee, and the report adopted by the committee comes to this body, and blindly you vote what the committee recommends. What is the result? One man has hurriedly listened to the testimony concerning a claim presented to this body, and one man's necessarily hasty judgment is your judgment finally, and through that process of handling claims we are passing upon the expenditure of millions of dollars. It is not efficient, and it is not businesslike, and there is not one of you who would stand for it a minute in your own business.

What is the result? Why, we must do with claims just like I suggested, without going into a detailed plan, doing with this enormous expenditure for rivers and harbors. Let us conceive some kind of an organization that can make these expenditures of twenty-five to fifty million dollars, and make them justly and efficiently, so that the public knows that fifty millions of expenditures have been rightly made, and that there is something to show for the Government expenditure in the contribution to public good which will follow.

We ought to do the same thing, and I believe it is under consideration now in the case of claims—not to add to the Court of Claims, which will pass, as it does, on the testimony submitted, but to have some sort of a creation that can take a claim properly filed against the United States Government and dispose of it and see that there is a just allowance.

Why, Mr. President, there have been in my hands great volumes of testimony relating to measures calling for \$50,000 upon which I had no more right to pass individually than one of the page boys could pass on a constitutional question pending

before this body because I had not the information at hand and could not have in the time that a Senator can give to the consideration of those things. So, out of the passage upon claims and the passage of great appropriations we have allowed these practices to grow up and I for one want to start my career in the Senate with a protest against going on with this method of doing business—a protest uttered in the kindest sense imaginable. I have not any "knock" in the world for any man's pet improvement presented to this body. I have not the slightest desire to impede internal improvements. I should very readily vote for a liberal appropriation to carry on our public works, and hope I may do so; but I do not want to be asked at the same time to vote for a lot of propositions which must impress any man who investigates for a single moment that the improvements are not worthy the serious consideration of the Senate and do not deserve the expenditure of the money of the American people.

It seems to me, Mr. President, that if there ever was a time when the Senate ought to call a halt and go into a more careful consideration through some proper agency and make a limitation on these things, it is now. It is very difficult for me to understand why the head of the administration—which shows a strong inclination now and then to intimate to this body what ought to be done contemplating the situation that now confronts you relating to the acquirement of a sufficient amount of revenue to run this country—does not step in and add his influence, and let us Republicans and Democrats and Senate and administration join in bringing about a new era in this matter, which has so much interested the country, and against which so much honest protest has been made without the inspiration of a single selfish thought on the part of anybody who has made it.

I for one want to go on, Mr. President; I want to vote liberally, but I want to vote intelligently; and I can not do it when I answer to my name on the roll call on the pending measure. It may be that I am derelict in duty; it may be that I am deficient; but I will tell you that there is not a Senator on the floor who can possibly know in three years of continuous application and study the merits of the projects that are included in that measure.

It is for that reason that I have spoken as I have, in the hope that some time I may join some of you in a more efficient, a more thoughtful, a more prudent, a more effective, and a more helpful process or plan for carrying on our American internal improvements without hindrance, so that we may go on confident of the development which is befitting a country so rich and so hopeful and so full of opportunity as is ours.

MR. REED. Mr. President, the Senator from Ohio complains that the President ought to give us information regarding this bill. I know of no way in which the President of the United States could convey the desired information to the Senator unless the President should sit down and study this bill, and give it the three years of time that the Senator says is necessary to an understanding of its provisions, and then carry the information over to the Senator from Ohio. Even if the President were to do so I apprehend that the Senator from Ohio would refuse to follow the President's lead in that as he does in all other things.

I know of no way in which any man can obtain knowledge with reference to the river and harbor bill except by sitting down and studying it. I know of no duty that devolves upon the devoted head of Woodrow Wilson to do the studying for Members of the Senate. It occurs to me that if men can not vote intelligently upon this bill, the thing for them to do is to cultivate their intelligence, and endeavor to get into their heads the ideas that now appear to be so lamentably and confessedly absent.

I do not intend to take the time to discuss the details of the bill. I want to make one or two general observations, and with that I am content.

No fair view can be given of this or any other bill by discussions that single out one particular item or half a dozen particular items, and then, in a discussion of those items, present only one side of the case. You can not judge a bill containing many items by any single item, or by any half dozen or dozen items; and certainly you can not when you have merely a one-sided and an unfair statement of those items.

It ought to be enough to say that this bill, like all of its predecessors, has been given very careful consideration in a committee composed in part of Republicans and in part of Democrats, and made up of men who come from widely separated parts of the country, so that the committee membership is in no way a sectional membership, and that this committee and its predecessors have for many years pursued substantially the same course of conduct. It ought to be also considered that there is

scarcely a single item in the present bill which is not an item relating to an approved plan, and that that approved plan was approved, recognized, accepted, and adopted by the last Republican administration or by some of its predecessors. There is scarcely an item in this bill that has not been approved by the Republican Party when it was in control; and if this bill is subject to any great or sweeping criticism, it ought to be because the bill has confined its benefits to the limits set by previous Congresses.

I do not intend at all to discuss minutiae or details. It is easy enough for any man to stand on the floor of Congress and cry out "pork." It is easy enough to denounce everything in the way of progress or forward movement. The veriest amateur can always find some venture out of the multitude of things that have been attempted that has perhaps been an unfortunate or even a wasteful venture. That is true of private business. It is true of everything that partakes necessarily of the nature of experimentation. It is true of great enterprises and of small enterprises that a certain per cent has been improvidently made. Mistakes are bound to occur.

There was an item discussed here the other day of a dock that was built by the Government for governmental uses—built, I think, 36 or 38 years ago—and the reports attached to this bill state that that dock never was used. This bill carried a small appropriation to repair it and proposed to turn that particular dock over to general and public use, the Government having failed to use it. It was the subject of criticism by a Senator whose views I always respect. But what is there of merit in the criticism when we analyze the facts? First, the mistake, if there was a mistake, was made 36 or 38 years ago. The mistake that was made by men most of whom are dead and gone ought not to be charged to the sponsors of this bill. Because there was a mistake made in the building of this one dock 36 or 38 years ago that does not argue that the provisions of this bill which relate to other enterprises are mistakes, a bit more than the fact that one member of a church 36 or 38 years ago was false to his religion argues against all the churches of the land. But this bill, proposing to turn over this dock to a public use and to expend a very small bit of money to give utility to that which has hitherto had no utility, has heaped upon it the odium of the mistake made by somebody 36 or 38 years ago. There has been much of the same character of criticism heard in the discussions we have listened to.

When the various items of the bill were taken up in the committee they were thrashed out by honest men, who were acting under a rule peculiarly conservative, and to my mind too conservative. That rule was to the effect that for the most part no new enterprises would be appropriated for in the bill. It was proposed to simply carry on those enterprises which had already been inaugurated and duly approved. I said to the committee then, and I take this moment's opportunity to say to the Senate, that I believe a narrow, pinch-penny policy with reference to the internal improvements of this country is the greatest mistake we can possibly make.

There are two kinds of ways to spend the public money, speaking broadly. When you fasten a fixed expense of some kind upon the country; when you create a great number of offices, particularly if they are useless; when you multiply divisions of the Government in an unnecessary way; when you build monumental structures at enormous cost; when you embark in any system which fastens a fixed expenditure annually upon the Government, unless you proceed with great care, you will burden the taxpayers of the Republic without any just return.

But there is another kind of expenditure of money which is in its nature an investment, and not an expenditure at all. If a man issues his bonds or his notes and buys an adjoining farm, and pays only what it is reasonably worth, although he has expended money, and although he has gone in debt, he is not the poorer but the richer because of the transaction, for the thing he has bought returns not only the interest upon his investment but a profit in addition.

When this Government creates great armies and great navies and fastens an expense upon the Republic, it is an expenditure that brings back not a dollar in return. It may be necessary; it may be justifiable; it may be highly desirable; it may be absolutely imperative; but it is made desirable and made imperative because of unfortunate world conditions. It is an economic loss, save as you estimate the greater loss which might come from a lack of ability to defend the country. But when this country invests its money in improving the highways of the country, is it a loss? No, sir; it is a distinct gain financially, economically, if it be properly done, because every good highway that is built lessens the labor necessary and the expense incident to the carrying of goods from the producer to the con-

sumer, benefits both the producer and the consumer, and adds to the aggregate wealth of the country. Every mudhole that is left, every obstacle to travel that remains, is an economic loss to the people of the country. The money that is employed to remove such obstacle is an investment that brings back a return many times.

When the Government of the United States expends money to remove obstacles to commerce upon the great inland seas of this Nation, and thereby in fact shortens the distance between the western and eastern extremities of the Lakes and between their northern and southern boundaries, it cheapens the cost of transportation across those inland seas and it makes money on every dollar that is properly invested. Any other claim is a foolish claim. When a great city lying along the borders of this country finds itself shut off from deep-sea going vessels because of a bar or a reef of rocks, and hundreds of thousands of dollars must be wasted annually in transporting the goods by lighters or by unloading and reloading, and that waste is going on, it is paid for by the people of the United States in the increased cost of everything thus transported. When the Government takes some dynamite and some laborers and removes the obstacles, and makes it so that great ocean vessels can swing up to the dock and unload without that loss we have not expended money; we have invested money. We have not used up the people's substance; we have increased the people's wealth.

When this Government spends money to make it possible to restore river transportation in places where river transportation can be reasonably restored; when it makes it so that a cargo of wheat can be carried from Kansas City, Mo., to St. Louis, Mo., for one-half of the price charged by the railroads, it has not wasted money; it has saved money to every farmer who ships grain and to every man who uses bread.

If this country should carry out a plan that was conceived by one of the greatest engineers of our generation, and should make a 14-foot waterway from St. Louis to the Gulf, and make it possible, as it would be possible, for boats to travel from Buffalo to New Orleans without breaking freight, it would not be "pork"; it would not be wasteful; it would be investment that would return a hundredfold.

Moreover, I embrace this opportunity to offer another suggestion. This Government has, with the full acclaim of both branches of Congress and with the full accord of the country, spent many hundreds of thousands of dollars, at least by way of a loan of the credit of the Nation, to put water on the arid lands of the West. It was a splendid conception. It has resulted in incalculable benefits, not only to that section but to the entire country. And yet, while an expenditure by the Government to put water on dry land is applauded, we find opposition to the proposal that the Government shall expend some money to keep water off of the wonderful valleys of the Mississippi, the Missouri, and the Ohio Rivers, and the equally fertile valleys of many other great rivers.

I have not the figures with me to-day, but I can produce them. On some other occasion I intend to show that there is enough rich bottom land to-day subject to overflow to almost sustain the population of the United States. The increased value of that land alone would pay for the harnessing of these streams.

The nation that sees annually areas as large as some of the great kingdoms of Europe devastated by floods, cities almost swept away, farm lands destroyed, cattle drowned by the thousands, human beings carried to their death by scores and by hundreds, is guilty of gross waste. It is more than extravagant; it is almost as senseless as the man who guiltily looks on while his home is consumed by the flames.

Mr. President, there are some things individuals can not do. I am an individualist. I would like to see every right, every liberty, every responsibility that can possibly be reposed in the citizen so reposed. I am in favor of the maintenance by the separate States of all the powers, of all the prerogatives that can properly be exercised by the individual States. But there are certain tasks that individuals can not perform and there are certain tasks States can not perform. As the individual resident of a city can not supply himself, by his individual effort, with gas, electricity, or water, those necessities must either be furnished by a public corporation or by the municipality itself. As the city can not build or construct a railroad to ramify the State, that task must be performed by private corporations or by some arm of the State government. Likewise, there are certain great tasks that can not be performed by the State which, therefore, justly fall upon the Federal Government.

Among these must be included the improvement of harbors. A harbor is in no sense merely local. The benefit to a harbor is a benefit to commerce, and a benefit to commerce is a benefit to

every citizen of the land. An improvement to the Ohio River, running through several States, can not be undertaken by a single State, because the burden would fall unjustly upon one State and the control would not be in the hands of that State, neither would the benefit be confined to that State.

The Mississippi, the Missouri, and the Ohio Rivers with their tributaries cover the central part of our land. They are as vital to the well-being of the great Central States as is the arterial system to the human body. They must be improved by the Federal Government for the benefit of the entire Nation, for, I repeat, you can not advantage commerce without conferring blessings upon all the people.

Instead of caviling about the small and sometimes stingy expenditures of this bill we ought to be devising a plan here for the greatest system of internal improvements ever carried on by any Government since governments existed. These great streams should be harnessed; these vast alluvial bottom lands should be protected; they ought to be raising every year vast crops of corn and cotton and wheat and hemp and tobacco. These rivers should be harnessed, no matter what the expense, so that life and property may be safe, and these rivers should be made navigable.

I challenge attention to the fact that a situation confronts us that this Congress must deal with at an early date. We built the Panama Canal. We built it at the expense of the taxpayers of the entire United States. Under recent rulings of the Interstate Commerce Commission railroads have been granted the privilege of altering their rates at eastern and western points because of the competition or alleged competition with the canal. So it is now possible to ship goods by the canal from the eastern to the western coast, then load those goods upon railroads and ship them back almost to the center of the United States cheaper than they can be shipped over a railroad directly from the East to the center of the United States.

If the injustice were confined to water transportation, I should not so much complain, but because of the water competition railroads are now being permitted to make rates so that goods may be shipped from New York City through Kansas City and 2,000 miles farther to the western coast, reshipped over the same railroad, and hauled nearly back to Kansas City for the freight that Kansas City has to pay direct for every shipment from New York to Kansas City.

I have used Kansas City in the illustration. What I have said of Kansas City will apply to Omaha, Nebr., it will apply to Sioux City, Iowa, it will probably ultimately apply to the Twin Cities. It will apply to every one of the great cities of the South that lies within that vast belt known as the Mississippi Valley.

I call the attention of Senators to this great problem and say to them to-day that something must be done to remedy the evil. We must either restore commerce to our rivers so that there may be a water competition which will result in revised rates to the Mississippi Valley, or there must be regulation by law. Unless one or the other is accomplished the great Mississippi Valley, with all that belt of wonderful States that flank the river on its eastern and western shore, the great Missouri Valley extending clear to the mountains, the upper Mississippi which stretches away through Minnesota, all that vast territory will be drained of its wealth, and will be, if not destroyed, at least greatly injured by reason of conditions growing out of the construction of the canal.

With that situation confronting us, we find Senators who live in the territory affected standing here in the Senate and caviling about a little money that has been spent upon these rivers. Instead of spending money by hundreds of thousands for internal improvements, I say without qualification we ought to be expending it by tens of millions. The expenditure ought to be made in accordance with a well thought-out plan; it ought to be made in accordance with the advice of the best engineers of the world; but this country ought to march forward. It must not stand still.

There is great enthusiasm just now about national preparedness, and I have voted for the military measures and shall continue to do so. I say to you that the best preparedness this country will ever have is when her mighty resources have been developed, when her gigantic energies and power are so harnessed and conserved that we shall constitute the great dominant and controlling industrial factor of the world. That can be accomplished, and that must be the task of the immediate future.

So the time, I think, has come to quit crying "Pork, pork," and to cry "Progress"; the time has come to teach that kind of economy which expends money to develop the resources a bountiful God has bestowed upon the land, so that they may be garnered for the service of man.

Mr. CLARKE of Arkansas. The order is the consideration of the amendments of the committee.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Secretary will state the first amendment of the committee.

The first amendment of the Committee on Commerce was, at the top of page 3, to insert:

Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, \$170,000.

The PRESIDING OFFICER: The question is on agreeing to the amendment.

Mr. KENYON. I wish we could have an explanation of that item. I am not opposing it, but I should like to have an explanation of it from the Senator from Connecticut [Mr. BRANDEGEE].

Mr. BRANDEGEE. Mr. President, I am very glad to explain the amendment. The State of Connecticut, I think in 1911, appropriated \$1,000,000 for the construction of a great wharf adjoining the long wharf owned by the Central Vermont Railway Co. in the harbor of New London. The wharf was to be a thousand feet long, and it was to be built of the most modern construction—steel and concrete. A board on rivers and harbors was appointed by the general assembly of the State to take care of the construction, and the State acquired the adjoining land. The project embraces the construction of grain elevators and warehouses and also a railway terminal.

I do not need, I think, to dilate upon the advantages of the harbor of New London as one of the great harbors of the country. It is situated midway between the metropolitan cities of New York and Boston. It is a great railroad center. The entire New York & New Haven Railroad system is there, running east and west on what we call the Shore Line from New York to Boston, and intersects the Central Vermont system, which runs from tidewater at New London north to Canada, where it connects with the Grand Trunk, which runs westerly to Puget Sound.

The project in contemplation is to make this State wharf, together with its warehouses and railway terminals, a great distributing center. As is well known, there has been, and I suppose there now is, a considerable congestion in the port of New York, especially for dock room for large steamers, and it is hoped that the overflow of commerce from that city may be accommodated to such an extent as it is possible at this State wharf in New London.

I do not wish to bore the Senate nor detain it unduly in this matter, and I am speaking on it only at the suggestion of the Senator from Iowa.

The State river and harbor commission had negotiations with the War Department here. The new wharf has been constructed. The State has issued its million dollars' worth of bonds and is now paying interest on them. The wharf is entirely completed except the covering or top of it which is to be completed this autumn. Under cooperation with the engineers of the War Department this State commission dredged around the wharf to the depth of 35 feet, which is considered sufficient for large ocean-going vessels loaded with cargo.

The Government part of this proposition, as agreed to by the War Department, was that if the State of Connecticut proceeded and made this what might be called a joint railway and ocean project, the Government would dredge from the mouth of the harbor up to and connecting with the 35-foot deep dredging project that has already been completed by the State of Connecticut and paid for. As I said, our part of the cooperative plan is finished.

The engineers' report shows what it will cost for the Government to complete the project, which it agreed to so far as any department can agree to anything in the absence of a distinct congressional pledge. Our project was completed and the Government part of it was that they would dredge to 33 feet. The Government's depth is 2 feet less than ours from the mouth of the harbor up to this wharf.

It is estimated by the engineer of the War Department that to construct this channel either 600 or 1,000 feet wide—I have not the document before me at this minute—and I should say perhaps 2 miles long, would cost \$330,000 and it would take two years to complete that dredging project. The Government engineers recommend that \$170,000 be appropriated the first year, which item the bill carries, and the \$160,000, if that is the difference, the following year.

If this is passed now, it will be seen that having our project completed and paying interest on the bonds which the State issued to pay for it we have to wait now two years if the Government starts the project at this time.

Mr. CURTIS. May I ask the Senator if the million dollars upon the project is already expended?

Mr. BRANDEGEE. To be perfectly accurate about it, as is shown by the telegram which appears in the Record in the proceedings of the House of Representatives, there has actually been spent \$800,000 now out of the million dollars, leaving \$200,000, which they are going to put on the floor of the dock and build some elevators or warehouses or something of that kind.

Mr. CURTIS. In other words, the State has carried out its part of the contract?

Mr. BRANDEGEE. Yes; and let me tell the Senator from Kansas this appropriation of \$170,000 was included in the bill a year or two ago as it passed the House of Representatives, and it failed in the Senate, because we cut the rivers and harbors appropriations all to pieces and appropriated a lump sum of \$20,000,000 to be expended only upon what are called existing projects.

Mr. KENYON. Was any of the amount in the act of 1914 or the act of 1915 apportioned to this appropriation?

Mr. BRANDEGEE. Not one penny on this contract, so far as it could be called a contract. I do not claim that it was legally binding or could have been enforced against the Government, because Congress in both branches had not simultaneously appropriated the same amount and the act had not been signed by the President, but this item was included in the river and harbor bill as it was passed by the House two years ago and it was included in the bill as reported by the Senate Committee on Commerce also. It is agreed on all sides that there is no objection to the project whatever on its merits. The only reason why it was not incorporated in the bill in the House and in the bill as it went to the Senate committee was that, as Senators are familiar, the committees had adopted what they called a rule by which they thought that the money appropriated should be confined to projects already heretofore authorized and on which work was being done.

I do not pretend to speak for the committee of the Senate, but I assume that in the attempt to work out the bill under that rule it was seen that injustice would result among the States. I think it would, at least so far as my State is concerned, because here was a bill carrying forty-odd million dollars and the entire water front of my State, the whole southern boundary of which abuts on Long Island Sound, which is, as Senators know, one of the chief waterways of the country, with its bays and harbors and rivers, was getting only \$41,000 out of the \$43,000,000. I think when the committee looked at that situation and some others they felt that a bill like this ought not to pass if it did discriminate against States and did not do substantial justice. So I was very glad to see that the committee had put it on.

As I said, this matter was up on the floor two years ago. I do not care to read the proceedings of the Senate on it, but at that time, when the proposition was to reduce the amount carried for this item by the House from \$170,000 to something that they thought would begin the work and partially carry it through, I inquired of the Senators who had the bill in charge on the floor here, if I agreed that it should be reduced, if I could count upon the aid of the committee at future Congresses to put it in, and I was assured that there was no question about the merits of the project whatever, that it was one of the most commendable they had seen, because we did not ask the Government to do this whole thing; the State of Connecticut went to work and did the greater portion of it herself, and I was assured by Senators on the floor who had the bill in charge that the next bill which came up would contain this item.

I do not care to continue this subject unless there is some criticism upon the proposition. I am very glad to see the item included in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 3, after line 16, to insert:

Narrows of Lake Champlain: Improving the Narrows of Lake Champlain, N. Y. and Vt., in accordance with House Document No. 1387, Sixty-second Congress, third session, \$300,000; and the Secretary of War is hereby authorized to enter into a contract for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$437,000, exclusive of the amount herein appropriated.

Mr. KENYON. Mr. President, I do not mean to oppose this project but I should like to know something about it. I think there was absolutely no consideration of it before the committee.

Mr. RANDELL. Mr. President, I will be glad to explain the item on behalf of the committee. I have the report before me.

I will say that the State of New York, as is known to us all, is expending very large sums of money on its canal system. I understand it is expending in the neighborhood of \$150,000,000 to construct a system of canals between Lake Erie and the Hudson River and between Lake Champlain and the upper Hudson. At the lower end of Lake Champlain there is a place where the lake is very narrow and the water is very shallow. Several years ago an elaborate survey was made of that lake. The engineers recommended that in view of the canal being constructed by the State with a depth of 12 feet and, I believe, a width of 200 feet, if I am correctly informed, there being a very considerable commerce between Lake Champlain and these State canals, it would be exceedingly difficult for that commerce to pass on the enlarged boats unless these narrows were both wider and deeper. So a report was made in December, 1913. It shows what the former project was and then states that the present project is to provide for a channel 12 feet deep and 200 feet wide, except at one point through rock where the width is reduced to 150 feet. The estimated cost of this plan, including the placing of new fender booms, is \$737,000, and \$5,000 annually for maintenance.

The project was in the usual course submitted to the local engineer, approved by him, and then submitted to the Board of Engineers for Rivers and Harbors. It was approved by them and then was approved by Gen. William H. Bixby, Chief of Engineers, who submitted a favorable report, as I have stated, February 10, 1913. The board of rivers and harbors mentions this, and as it is very brief I will quote from page 3 of the report, and that report, by the way, is House Document No. 1387, Sixty-second Congress, third session. I quote:

The commerce of the Narrows for the calendar year 1911 is stated to have been 825,975 tons, of which 681,894 tons passed through the Champlain Canal. It seems but reasonable to anticipate a very material increase in commerce as soon as the enlargement of the canal has been completed, and vessels of adequate size, such as are expected to use the canal in the future, have been put in service.

I remember the bill that was before the Commerce Committee two years ago and one year ago, and it was stated to us at that time that in all probability the New York State Canal could be completed by the time that this project for the narrows of Lake Champlain could be completed, if adopted at that time.

It would certainly seem a calamity, Mr. President, if the Government does not improve its own waterway, Lake Champlain, so that it can connect in a reasonable and proper manner with the great canals constructed at such enormous expense by the State of New York for the benefit of the entire country.

Mr. KENYON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Iowa?

Mr. RANDELL. I shall be very glad to yield.

Mr. KENYON. Does the Senator know why this item was not inserted in the bill in the other House?

Mr. RANDELL. I have understood that the House did not adopt any new projects whatsoever except the one for the East River. I know that this project was included in the last two river and harbor bills which met with defeat on the floor of this body.

Mr. KENYON. Does the Senator feel that the public interest would be injured if the matter were put over for another Congress?

Mr. RANDELL. I think if there is any project in the land which is worthy of consideration it is this. I believe that consideration should be shown to the State of New York, which has exhibited such magnificent spirit and has spent such enormous sums of money for developing waterways which are going to be of very material benefit to the entire Nation, as the Erie Canal has proved throughout all of its history, for it has been a national waterway since it was completed in 1826. It is now being enlarged to a depth of 12 feet at an enormous cost. The State of New York is not asking the Government for a dollar. The whole Nation is going to get the benefit of that waterway. When that is being done it seems to me the least the Government can do is to connect Lake Champlain, which is one of the Nation's waterways, with that canal. This will complete the project and put it in splendid order. It will cost a very small sum, something over \$5,000 a year, to maintain it.

I think, too, that it would be a very unbusinesslike performance for us not to finish this waterway so as to have it ready when the canal systems themselves are completed. I have no doubt the junior Senator from New York can answer any other questions in reference to the matter.

Mr. WADSWORTH. Mr. President, the Senator from Louisiana has described the situation with entire accuracy. I might

say, in further explanation, however, that the system of barge canals now being built by the State of New York, and which are fast approaching completion, touches what might be called Federal waters, or waters under Federal jurisdiction at three points, one at the Niagara River at the western terminus of the main canal, which follows, roughly speaking, the old route of the Erie Canal across the State; one at the Hudson River, where the eastern terminus of the main canal joins the Hudson River. Of course, it is understood that the Hudson River will be used as a continuation of the canal system, south 150 miles, to the harbor of New York. The third point at which the canal now being built will touch Federal waters is at this point at Lake Champlain. At each one of the three points it is absolutely essential that the Government make certain improvements in waters under its own jurisdiction, otherwise the entire canal will be useless.

About a mile and a half of dredging must be done at the Niagara River to connect with the western terminus of the Barge Canal; a little piece of dredging must be done at Lake Champlain to form the connecting link between that branch of the canal and the St. Lawrence River, which it will eventually reach by using Lake Champlain and the rivers to the north of it; the point on the Hudson River—which must be deepened to a depth of 12 feet, approximately, the distance between the city of Hudson to and beyond the city of Albany, or approaching the city to Troy—those three projects must eventually be completed by the Federal Government in order that the New York Barge Canal can be of any service whatsoever for through traffic. The Champlain branch of the Barge Canal is approaching completion a little faster than the other branches.

As I understand it, this item is now being urged by the engineers to be taken up immediately, so that this branch of the canal will be placed in full operation when the canal is finished. Without this item there will be at least two years' delay in the operation of boats on the canal; eventually the work must be done.

Mr. SMOOT. Mr. President, I desire to ask the Senator from Louisiana [Mr. RANDELL] if the expenditure of this money will in any way benefit the traffic on the Erie Canal?

Mr. RANDELL. I understand that it will, because it connects Lake Champlain with the Erie Canal, and, as the junior Senator from New York [Mr. WADSWORTH] has just stated, the upper end of Lake Champlain connects with the St. Lawrence River. If they do not do this work, then it will be impossible for the large-sized canal boats which intend to use the improved Erie Canal to ply between that link of the canal which goes from the city of Troy up to the lower end of Lake Champlain. Only small boats will be able to use it. I believe the depth is now about 9 feet; and the plan is to have a 12-foot canal.

Mr. SMOOT. I certainly hope that it will increase the traffic, because I notice that transportation on the Erie Canal is dropping in such proportions that if the decrease continues there will not be very much of it left. I notice that there were shipped on the Erie Canal in 1880, 4,108,581 tons of freight; in 1906 it had decreased to 2,383,481 tons; in 1912 it had decreased to 1,790,069 tons; or, in other words, in 1880 that canal carried 18 per cent of the total rail and water freight; in 1906 it carried but 3 per cent of the total freight; and in 1912 it carried but 2 per cent of the total freight. If the adoption of this amendment is going to increase the water transportation upon that canal, I have no objection to the appropriation whatever; but if it is simply the mere spending of more money in connection with the amount that has already been expended upon that canal, with the freight decreasing at a rate that if it continues many more years there will be very little freight upon it, I think it would be a waste of money.

Mr. RANDELL. Mr. President, very briefly, I would say to the Senator from Utah that the old Erie Canal has been in existence a great many years. It was completed in 1825 or 1826. It was a canal upon which the boats were propelled by horses and mules. I went to school on the banks of that canal in the city of Schenectady, and graduated in the class of 1882. At that time it was said there were 3,000 boats on that canal; and, as I have stated, they were all propelled by horses or mules. I am not aware that there has been any improvement in the physical character of the canal since that time until the present great project was adopted several years ago. It was submitted to the people of the State; a bond issue was voted; the canal was to cost considerably over a hundred million dollars; the minimum depth was to be 12 feet; it was to be much wider than previously; and it was to be susceptible of use by boats propelled by steam, gasoline, or other motive power. Barges were to be built for it to carry at least 3,000 tons. I do not think that the old barges used there when I

was a young man—and they are the same as those that have been used up to the present—could have carried over 150 to 200 tons.

The Senator from Iowa will bear in mind that in the meantime the railroads have been improving in every imaginable way, by every conceivable device. Larger rails, larger cars, larger engines, every device has been adopted to improve transportation by rail; and I am delighted that that is so. The facilities on this canal, however, have not improved at all. Finally the people of the State of New York—and they are wise people—saw that, unless they did something, they would have to abandon their canal altogether. They determined to make a modern waterway out of it; and that is what has been done. That modern waterway will be completed, I am told, within two years. That modern waterway, or at least one branch of it, runs up to the lower end of Lake Champlain. The proposed improvement here, which is to cost \$737,000, is to connect Lake Champlain in a place called The Narrows, with this magnificent modern canal of the State of New York. I am sure when it is completed, the canal will be used.

Mr. SMOOT. I hope so.

The PRESIDING OFFICER. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

Mr. KENYON. Mr. President, we would like to have the opportunity to cast our votes on the adoption of the amendment. For my part, I want to vote against it.

The PRESIDING OFFICER. Does the Senator from Iowa refer to the amendment which has just been adopted? Does the Senator want a vote on that?

Mr. KENYON. The Chair simply said, "Without objection, the amendment is agreed to."

The PRESIDING OFFICER. That has been the practice. The Senator from Iowa could have objected had he so desired. However, the Chair will put the question. Those in favor of the amendment will say "aye." [A pause.] Those opposed will say "no." The "ayes" have it, and the amendment is agreed to. The Chair supposed that if the Senator had any objection he would have stated it before the announcement was first made.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, at the top of page 5 to insert:

Improving Black Rock Harbor, N. Y.: The unexpended balances of appropriations heretofore made and authorized for the improvement of Black Rock Harbor and Channel, N. Y., and Tonawanda Harbor and Niagara River, N. Y., are hereby consolidated and made available for completing improvement of Black Rock Harbor and Channel and Tonawanda Harbor in accordance with the report submitted in House Document No. 658, Sixty-third Congress, second session, and subject to the conditions set forth in said document.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARKE of Arkansas. I ask that the next amendment, on page 6, to strike out the item known as the East River item, may be postponed until to-morrow morning. That amendment is likely to consume more time than we shall be able to devote to it this afternoon.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 9, line 7, after the word "level," to strike out "and" and insert "Provided, That"; in line 8, after the word "have," to strike out "acquired"; and in line 11, after the word "commerce," to insert:

Provided, That the said Alba B. Johnson and Samuel M. Vaclair and the Baldwin Locomotive Works shall construct and maintain at their expense a bridge, satisfactory to the Secretary of Commerce, over the new course of Crum Creek, available for the passage of persons and vehicles for purposes of the United States, said bridge to take the direction of the present right of way of the United States at the place where the same is to be cut by the proposed new course of Crum Creek, and to be maintained so long as title to the property now owned by the United States at the mouth of Crum Creek remains in said United States.

So as to make the clause read:

That Alba B. Johnson and Samuel M. Vaclair and the Baldwin Locomotive Works, abutting property owners upon Crum River where the same empties into the Delaware River, be, and they are hereby, authorized to change and divert the present course and channel of Crum River and to straighten same, under the direction and supervision of the Secretary of War, from the right of way of the Philadelphia & Reading Railway Co. to the low-water line in the Delaware River, and that the said river shall be of the width of not less than 100 feet at mean low water; and that hereafter the said Crum River, as so straightened, shall be a public navigable stream, and the present course and channel of the said river from the right of way of the Philadelphia & Reading Railway Co. to the low-water line in the Delaware River shall be abandoned and vacated when the above-mentioned new channel shall have been completed to a depth of 4 feet at mean low water, with a bottom width of 62 feet and width of 100 feet at mean low-water level: *Provided*, That the Government shall have acquired such right, title, and interest in

and to the bed of said new channel as will assure the public the right to the perpetual use of said channel for all the purposes of navigation and commerce: *Provided*, That the said Alba B. Johnson and Samuel M. Vaclair and the Baldwin Locomotive Works shall construct and maintain at their expense a bridge, satisfactory to the Secretary of Commerce, over the new course of Crum Creek, available for the passage of persons and vehicles for purposes of the United States, said bridge to take the direction of the present right of way of the United States at the place where the same is to be cut by the proposed new course of Crum Creek, and to be maintained so long as title to the property now owned by the United States at the mouth of Crum Creek remains in said United States.

The amendment was agreed to.

The next amendment was, on page 11, after line 3, to insert:

Maintenance and repair of the Government iron pier, harbor of Lewes, Del., hereafter, under regulations prescribed by the Secretary of War, to be opened to public use, \$10,000.

Mr. SMOOT. Mr. President, I ask that that amendment go over. I did not expect it to come up this afternoon.

Mr. CLARKE of Arkansas. For how long does the Senator desire it to go over?

Mr. SMOOT. Until to-morrow.

Mr. SAULSBURY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Delaware?

Mr. SMOOT. Certainly.

Mr. SAULSBURY. I desire to ask the Senator if it will be agreeable to him to have the item taken up the first thing in the morning? I may have to be away later in the day.

Mr. SMOOT. I will not ask that it be taken up, if the Senator is absent.

Mr. CLARKE of Arkansas. Mr. President, we must not have an indefinite continuation of these postponements.

Mr. SMOOT. I am perfectly willing to take it up in the morning.

Mr. CLARKE of Arkansas. Very well; but I should not want to mislead the Senator from Delaware. The first item which we are to take up to-morrow morning is the East River item, which involves a policy that will probably provoke some discussion, and upon its settlement may depend many items in this bill.

Mr. SAULSBURY. May I ask the Senator from Utah if he will state why he asks that the amendment go over? I ask that for my personal convenience, because I can not be here all day to-morrow.

Mr. SMOOT. I will state to the Senator that the reason I make the request is that I have not the papers at hand which I desire to consult in connection with this item, as I did not expect that it would come up to-day. I thought that the East River item would take the remainder of the afternoon, and therefore I did not expect this item to be reached to-day. That is the only reason, I will say to the Senator, why I make the request.

Mr. SAULSBURY. May I ask the Senator, so far as he can, to make such objection as he desires now, so as to give me the opportunity to try to answer whatever he may say this afternoon, as it may be impossible for me to be here late to-morrow afternoon?

Mr. SMOOT. I would prefer to say what I have to say in this connection at one time rather than to say it piecemeal.

Mr. CLARKE of Arkansas. Mr. President, I think I can say that it will not be very late in the afternoon to-morrow before the item is reached in regular order, for I feel sure that the East River item will not require more than an hour.

Mr. SAULSBURY. If that is the case, very well.

The PRESIDING OFFICER. Without objection, the amendment is passed over.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 18, after line 11, to insert:

Key West Harbor, Fla.: For improvement by removal of Middle Ground, \$50,000.

Mr. CLARKE of Arkansas. Mr. President, that item was inserted at the instance of the junior Senator from Florida [Mr. BRYAN]. The information upon which it would be based, according to the demands that usually are made in such cases, is not at hand. It was put in the bill with the determination to make further investigation of it after the matter had gone to conference. It is founded upon the proposition that there is in Key West Harbor a deposit known as the Middle Ground, which has recently become an obstruction to navigation. The report which has reached us is that a brig foundered there some days since, and that the channel is shoal. Whether or not it can be removed without an additional appropriation is a matter that the engineers will report on later. I ask that the item be included in the bill, and we will look into it when the matter comes to be considered in conference.

Mr. KENYON. I should like to ask the chairman of the committee if there is any report of the engineer on this subject?

Mr. CLARKE of Arkansas. Not specifically. We are having an investigation made now; and, as to whether the item shall go into this bill at all permanently will depend upon what is hereafter shown to be the condition of the channel.

Mr. KENYON. When is that to be determined?

Mr. CLARKE of Arkansas. That will be determined before the matter is finally disposed of. I take it for granted that we will be compelled to justify these items when we go into conference. The preliminary showing that has been made justifies the action that has been taken, treating the matter as one of emergency. Key West is one of the well-known harbors of the country, and it is quite important that it shall be kept in a navigable condition.

Mr. KENYON. There is no doubt of that; but I understand there was nothing before the committee concerning the item except a telegram from the junior Senator from Florida [Mr. BRYAN].

Mr. CLARKE of Arkansas. That is true. There was a telegram from the Senator from Florida calling attention to the facts and asking that steps be taken to determine the necessity for the item.

The PRESIDING OFFICER. What is the suggestion of the Senator from Arkansas?

Mr. CLARKE of Arkansas. That the amendment be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 19, line 5, after the words "Dog River," to strike out "\$35,000" and insert "\$80,000," so as to make the clause read:

Pascagoula Harbor, Miss.: For maintenance of channels through Horn Island Pass, Mississippi Sound, Pascagoula River, and Dog River, \$80,000.

Mr. KENYON. Mr. President, I should like to have some explanation of the increase of that appropriation.

Mr. CLARKE of Arkansas. The Senator from Mississippi [Mr. VARDAMAN] will look after that.

Mr. VARDAMAN. Mr. President, heretofore there was a project adopted in 1913 carrying an appropriation of \$383,000, I think, for deepening this harbor. It was conditioned upon the payment by the citizens of Pascagoula and Moss Point of \$100,000 in five years. The citizens of Pascagoula and Moss Point were unable to raise that amount of money, and so they came to Congress and asked that the sum of \$283,000 might be used, so far as it would go, to deepening the channel. The original plan contemplated the deepening of the channel from 17 to 22 feet. The engineers recommended the modification of the original plans and suggested that \$283,000 be appropriated to be used for deepening the channel so far as it would go. That, however, was upon the further condition that the city of Pascagoula should give certain property to the Government in the form of a wharf. In investigating the title to this property it was discovered that there was a defect in the chain which caused delay. That, I understand, has been perfected now. For the last two years no money has been spent by the Government for deepening the channel.

In addition to the \$283,000 which was to go for deepening the channel there was to be a maintenance fund of something like \$50,000 per annum. They have not done anything to the channel, and while the engineers in their report state that they do not need quite as much money as is carried in this amendment, still they say if this money is appropriated they may be able to do some work on the channel, and if this money is not used it will remain in the Treasury.

The people of Pascagoula and Moss Point are very desirous that this appropriation be made; I want it made; the committee has adopted it; and I hope the Senate will agree to it. It is needed; we are entitled to more than the amount appropriated, but this will give us enough to continue the work until the next appropriation bill, when we hope to get the original appropriation with which to deepen the channel ultimately to a 22-foot depth.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 20, after line 2, to strike out:

Southwest Pass, Mississippi River: Continuing improvements and for maintenance, \$600,000.

And insert:

Passes at the mouth of the Mississippi River: Continuing improvement and for maintenance, \$1,000,000.

Mr. KENYON. Mr. President, the Senator from Louisiana, I think, explained that amendment before the committee.

Mr. CLARKE of Arkansas. The Senator from Louisiana had a communication from the Chief of Engineers which justified that change, and I take it for granted that, if the item is contested, the Senator will present that communication.

Mr. RANDELL. Mr. President, if there is any necessity for so doing, I will read from the report of the engineers in explanation of this item.

Mr. KENYON. I wish the Senator would do so.

Mr. RANDELL. A special report was made by the Chief of Engineers to the chairman of the Committee on Commerce, and I quote this extract from it:

Owing to the long high river of 1915 and the unprecedented stage in the lower Mississippi below New Orleans this year, shoals have occurred in both passes, especially at the mouths. Some regulating works are needed at the Head of Passes to force more water into Southwest Pass and to restrain the waters going into South Pass. A conservative estimate of the work required at the Head of Passes alone is \$400,000. A board has been appointed by Special Orders No. 4, Office of the Chief of Engineers, March 1, 1916, to report upon Southwest Pass; and any modifications which this board will recommend will probably include some work at Head of Passes, and any such work can not be commenced promptly unless sufficient funds are on hand.

Mr. SMOOT. May I ask the Senator from what page he is reading?

Mr. RANDELL. I am reading from the report of the committee, on page 226, where this special report has been incorporated.

Southwest Pass: In addition, the question of jetty extension at Southwest Pass, as well as the contraction of the jetty channel, will be matters to be brought before the board. The present depth over the bar at Southwest Pass is 27 feet, and during the last month the depth over the bar at South Pass shoaled suddenly from 34 to 26 feet. Two dredges are now at South Pass and one at Southwest Pass. The battleship *Kentucky*, drawing about 26 feet 4 inches, lay off South Pass from March 1 to 4, unable to enter either pass. She finally succeeded in entering Southwest Pass. The enormous sediment of over 3,000,000 cubic yards daily going down the Mississippi at the present time is causing heavy shoals, and several ships have grounded recently. In addition to the three dredges at present in use, an additional dredge may be required. It is, therefore, impossible to state definitely what funds are needed or what the character of the work recommended will be, as the channel conditions at best are subject to sudden and severe changes. It is, however, urgently recommended that not less than the original amount of \$850,000 be appropriated.

That is for the Southwest Pass. Now, as to the South Pass of the Mississippi River:

South Pass, Mississippi River: The usual \$100,000 from the appropriation, "Maintenance of South Pass Channel, Mississippi River," will be available for maintenance and repair of spur dikes, shore plant, etc. This maintenance will be especially heavy the coming year. In addition, at least \$100,000 will be needed to assist in regulating work at Head of Passes and \$50,000 for dredging. The present flood has caused a portion of the banks at South Pass to cut away and has undermined a portion of the West Dike (headland between South and Southwest Passes) and a portion of the Upper Dam (headland between South Pass and Pass a Loure), so that some very extensive improvement by revetment and mattress sills will be needed. It is believed at least \$150,000 should be added to the pending bill for South Pass improvement, for work at Head of Passes, and for dredging at Head of Passes, especially at mouth of South Pass. The reasons for the urgency of this work are similar to those for Southwest Pass.

If the item be included as thus worded (Senate amendment), it would permit of the use of the money for either the Southwest or the South Pass in such proportion as might be required, and if so worded it will be understood by this department that the intent of the item is to simply provide that the money may be so used, but that it shall be used in accordance with the projects heretofore or hereafter specifically adopted by Congress.

If there are any further questions, I will attempt to answer them.

Mr. KENYON. I should like to ask the Senator if the amount of \$1,000,000 is recommended?

Mr. RANDELL. Yes; it has been specifically recommended, and the change in the wording of the item has also been recommended.

Mr. SMOOT. That has been recommended in a special report.

Mr. RANDELL. In a special report by the board that was sent down there. There is a large commerce, as the Senator knows, at the mouth of that river—something over 6,000,000 tons.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 22, line 22, after the word "maintenance," to strike out "\$25,000" and insert "\$50,000," so as to make the clause read:

Channel to Port Bolivar, Tex.: For maintenance, \$50,000.

Mr. SMOOT. I desire to ask whether that has been estimated for?

Mr. CLARKE of Arkansas. The Senator from Texas [Mr. SHEPPARD] will look after that.

Mr. SHEPPARD. Mr. President, it was shown to the committee by a letter from the examining engineer that shoaling had occurred since the bill passed the House, necessitating the increase in the item for maintenance.

Mr. SMOOT. Has the Senator the report with him?

Mr. SHEPPARD. The letter is with the Committee on Commerce. I laid it before that committee, but I will put it in the Record, I will say to the Senator. I do not, however, have it on my desk.

Mr. SMOOT. I will ask the chairman of the committee if the letter is printed in the report?

Mr. CLARKE of Arkansas. I think not.

Mr. President, we have now reached a time when we will probably not be able to consider any item that is contested, and I will say to the Senator that we will pass that amendment over until to-morrow, when the letter will be brought to the attention of the Senate.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

Mr. CLARKE of Arkansas. I now move that the Senate proceed to the consideration of executive business.

WOMAN SUFFRAGE.

Mr. CURTIS. Mr. President, I will ask the Senator to withhold the motion for a moment.

Mr. CLARKE of Arkansas. I withhold the motion for a moment.

Mr. CURTIS. I should like to state that at the conclusion of the executive session, or a few minutes before 5 o'clock, I shall ask the Senate to take a recess until 11 o'clock to-morrow morning in order that the Senate may have an opportunity to take advantage of the invitation which I send to the Secretary's desk and ask to have read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The Members of the Senate are cordially asked to be present in the Rotunda of the Capitol to-day at 5 o'clock to meet the envoys from the suffrage States elected at the woman voters' conference in Salt Lake City on May 12, who will present resolutions from the woman voters to Congress.

ELIZABETH T. KENT (California).

EXECUTIVE SESSION.

Mr. CLARKE of Arkansas. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 17, 1916, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 16, 1916.

POSTMASTERS.

MINNESOTA.

Thomas L. Fay, St. Charles.
Altie Hill, Dawson.
W. E. Lawson, Benson.
A. M. Loberg, Cokato.

NEW YORK.

Charles P. Monro, De Ruyter.
John C. McGreevy, Hornell.

PENNSYLVANIA.

F. G. Ackley, Wyalusing.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 16, 1916.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Out of the depths of the soul we cry unto Thee, O God, heavenly Father, because of Thy boundless resources and our limitations. Thou knowest us altogether, and Thy tender mercies are ever with us. Guide us by Thy fatherly care that we may measure up in our limitations to the perfected manhood for which we all long, revealed in the incomparable life and character of Thy Son.

Alone, O Love ineffable!
Thy saving name is given;
To turn aside from Thee is hell,
To walk with Thee is heaven.

Thus may our longings, hopes, and aspirations be fulfilled. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a speech by the Hon. WILLIAM ELZA WILLIAMS at the Democratic State convention in Illinois on April 21.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend remarks in the Record by printing a speech of his colleague, WILLIAM ELZA WILLIAMS, at the Democratic State convention a few days ago. Is there objection?

There was no objection.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by the discussion of the subject of industrial relations in Colorado.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the Record on the subject of industrial relations in Colorado. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman if it is a speech that he wants to insert or an article.

Mr. KEATING. It is based partly on the report of the Commission on Industrial Relations, pointing out the efforts to adjust the matter.

Mr. MANN. Is it a speech?

Mr. KEATING. No; not altogether. It incorporates a speech by the chairman of the commission, with introductory remarks by myself and a short editorial with reference thereto.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by incorporating an editorial in the New Orleans Times-Picayune of May 13, 1916, entitled "Congress and Flood Control."

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent to insert in the Record as a part of his remarks an article from the New Orleans Times-Picayune on flood control. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman if we printed all the editorials written on the subject would the CONGRESSIONAL RECORD ever be finished?

Mr. DUPRÉ. I think not; but this has a bearing directly on the subject that comes up to-morrow and is very closely related to it.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUPRÉ. A parliamentary inquiry, Mr. Speaker. Is it in order to submit a further request for unanimous consent to ask all Members of the House to read this editorial before the matter comes up to-morrow?

Mr. MANN. No; I should object to that. [Laughter.]

Mr. ADAMSON. It would not be mandatory.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by having printed a short article from the Manufacturers' Record containing the location of the Government armor-plate plant at Paducah, Ky.

The SPEAKER. What does the gentleman say the subject is?

Mr. BARKLEY. The location of an armor-plate factory at Paducah, Ky., and the article is from the Manufacturers' Record.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print an article on the subject of an armor-plate plant at Paducah, Ky. Is there objection?

Mr. MANN. Reserving the right to object, does this advocate the location of the plant at any particular place?

Mr. BARKLEY. Not at any particular place, but at a particular location on the Ohio River. [Laughter.]

Mr. MANN. I think there have been about 50 bills introduced for the location of armor-plate plants.

Mr. BARKLEY. This is an article by a nonpartisan and unselfish man in the Manufacturers' Record.

Mr. MANN. Oh, they are all unselfish, but I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5790. An act to confer additional authority upon the President of the United States in the construction and operation of the Alaskan railroad, and for other purposes; and